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THE

LAND AND LABOUR OF INDIA.

THE

LAND AND LABOUR OF INDIA.

A Review

BY

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WILLIAMS AND NORGATE,
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PREFACE.

FOUR years ago I ventured to publish a small work treating of the history and mode of conducting certain agricultural enterprizes in India, in which the people of England are interested. Not expecting that the subject, notwithstanding its importance, would prove very attractive to the English public, the edition was small, and the book was soon out of print. It was reviewed, however, very generally, and its reviewers, as a rule, were far more kind and considerate in their estimates of any little merit the work may have possessed, and far more lenient to its many defects, than I had anticipated they would be, or indeed than I had any right to expect. Some portions of the subject I ventured to discuss were very difficult, particularly those involving considerations of the land tenure in India, and the duties and obligations of Government in regard to the development of the wealth of the country. My views on many points were opposed to received opinions in England; and some of my

critics considered them at variance with sound principles of political economy, and consequently erroneous. I was not surprised at this; and had therefore no complaint to make against it. My chief object in writing at all was, that I believed then, as I believe still, that though the principles of political economy are the same all over the world, it is to their judicious application to the circumstances and conditions of things around us, rather than to a blind adherence to the bald principles of the science itself, that we must look for the happiest results. I thought, therefore, that I might serve some useful purpose by attempting to show how widely different are the conditions and circumstances of this great Empire and its peoples to the conditions and circumstances of Europe and the peoples of any of the great nations it contains; and how it was the inability of Englishmen generally to appreciate this fact, which rendered so many well conceived projects for the benefit of India barren of good results.

If, however, the many objected to my notions of what was good for India and her people, and differed from me in my opinion as to what, as between her people and the dominant race, was equitable and just, there were a few, and amongst them those

whom, from their better acquaintance with the social systems of Oriental peoples, I might naturally have looked for a closer sympathy with the subjects I ventured to discuss, who begged me to publish a second edition. The book had no literary merit, and my object in publishing it was not to court literary fame. I sought rather to render my experiences of a country and a people, and their institutions, which it is admitted on all sides Englishmen find it so very difficult to understand, useful to the many, who, whether resident in India or elsewhere, have not had equally good opportunities of observation with myself. But the demand for the work had not been such as to induce me to suppose that it would be widely read, and I did not therefore further obtrude my opinions on the public.

Circumstances however have altered materially since then. When my Review was written (1862), the operatives of the manufacturing districts of England were suffering from the severities of the famine which followed the stoppage of the cotton supplies which ensued on the breaking out of the American war. A cry had been raised in England with the view of inducing Her Majesty's Government to compel the natives of India to grow suffi-

cient cotton to keep the looms of Manchester and Lancashire in full work, and thus save the trade of the cotton spinners from ruin, and the operatives from starvation. But no guarantee was offered that the cotton would be bought when grown, nor any forethought or regard shown for the lamentable consequences that would have overtaken the people of India, if millions of acres of land having been sown with cotton, the American war should have ceased before the crop was reaped.

I had hoped that some more solid benefit to India than enriching the cotton dealers of Bombay would have resulted from the circumstances of England in 1862; but unfortunately those who pressed their views in the direction above-mentioned on Lord Halifax (then Sir Charles Wood), while thousands of their countrymen were suffering from want around them, had not any more practical measures to propose for the regeneration of the agricultural interests of this country, and for the relief of the poor starving operatives at their doors, than discussions on the abstract principles of political economy. I had hoped also that the lesson which experience had taught, and I had humbly laboured to expound in 1862, if read at all, would [illegible]

unproductive of beneficial results from a different point of view. I had hoped, for famine was then stalking abroad in this country, that the great want of India, a comprehensive system of canals and works of irrigation and drainage, to save rich provinces from devastation and their populations from frequent decimation, would long have been taken into serious consideration; that the orders regarding the redemption and permanent settlement of the land revenue would have been re-considered; and that some amelioration would have been made in the laws which are now yearly impoverishing India, by suffering an appreciable portion of the population—her most precious wealth ~~to be transported~~ to foreign lands.

But my hopes were not realized. A terrible famine visited Orissa, a rich and populous Province, and parts of Lower Bengal, last year. When at its height, when the people were dying of starvation at the rate, it is said, of *four thousand a week*, in the year 1866, the authorities, who held in their keeping the land revenues of Bengal, adopted a course very similar to that adopted by the cotton spinners of Manchester in 1862. At the time the

public expected them to be up and doing, when the curtain was raised they were found sitting round a board of green cloth discussing "sound principles," and refusing to supply food for the starving millions around them, although the public were willing to pay for it, because, to use their own words, "On general grounds they had a very strong objection to interfere with the course of trade." Indeed, if their own expressions are any guide it would seem as if they looked on approvingly at the rise of prices which was gradually placing food altogether beyond the reach of these poor unfortunate people, for on the 22nd of May, 1866, they addressed Government as follows: "No doubt the "present high prices are partly due to a renewed "failure of the crops this year. *A legitimate cause "that may rightly and safely be left to produce its "own effect.*"

The Lieut.-Governor of Bengal has been plentifully accused of neglecting the starving multitudes committed to his care, and whether justly or unjustly it is not for me to say. But, if every other act of his Government was a mistake, he deserves praise for the censure conveyed in the following paragraphs of

his Secretary's (the Honourable Ashley Eden's) letter of the 28th May last:—

2. "It will be seen from the accompanying copy "of a telegram from the Superintending Engineer, "Cuttack, received under endorsement from the Public "Works Department of this Government, No. 76 T, "dated the 26th instant, that, in that officer's opinion, "it is *rice* that is wanted in Orissa, not *money*, and I "am to request that the Board will be good enough "to consider the question of importation with reference "to the price of rice, and the possibility of importing "it at a cheaper rate than it can be purchased on the "spot, and not with any reference to the propriety or "otherwise of Government interference, or to the fear "of underselling local dealers.

3. "With reference to paragraph 6, I am to say "that if the possibility of a renewed failure of the "crops has any effect in maintaining present high "prices, this is an additional reason for alleviating "present distress by the application of means provided "by private charity. I am therefore to request that "the Board will give renewed and immediate attention "to the question of importing rice in the distressed "districts, and to add that the Lieutenant-Governor

"is not at all satisfied that the information in the "Board's possession is such as to support their "confident opinion that such importation is unne- "cessary.

4. "With reference to paragraph 8, I am to request "the Board will furnish the Relief Committees with "general instructions for the disposal of the money "placed in their hands, to furnish weekly statistical "returns of the number of people relieved at each "station; the quantity of food distributed; the labour "performed, and other useful particulars; so that the "Board may know what is being done, and be in a "position to furnish a comprehensive report, when "the necessity for further relief has ceased."

Apart altogether from considerations of humanity in the present under-populated state of India, the disappearance off the face of the earth of a million of people, most of them cultivators of the soil, is a loss of wealth to this country, and a loss of revenue to the State, that years of prosperity and plenty will not replace. But this is a view of the case, which the Revenue authorities probably could not comprehend, and which, until this rich and wealthy country has the benefit of a Minister of Commerce and Trade,

is not likely, I fear, to be well understood, or very generally appreciated either here or in England.

An office, however, has within the last few months been created by the Secretary of State, which is specially charged with the duty of examining into the wants of the country, in regard to canals and works of irrigation; and I have been given to understand that orders have been issued to stay further action in the matter of the redemption of the land revenue, or the general institution of a permanent settlement. I have been induced, therefore, to publish some extracts from my previous observations on these subjects, in the hope that they will attract more attention now than they did four years ago. With the experience of the last few years, I might perhaps have re-written my remarks with advantage; but I preferred to leave them as they before stood, resting content with purely verbal corrections in the text, and a few foot notes, to which I have appended the date in which they were written. And my reason for so doing, is that, however opposed to received opinions in England, my views on some portions of the very difficult subjects I have treated may appear, I am convinced that the general policy

I have proposed will be found to be for India, not only the best in the end; but the only one that can be adopted with the concurrence and good will of the people, and at the same time afford a reasonable prospect of success.

CALCUTTA, 15*th January*, 1867.

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CHAPTER I.

OF SOUND PRINCIPLES OF TRADE AS APPLIED TO AGRICULTURAL EXPERIMENTS IN INDIA.

In the discussions which have lately taken place in Great Britain regarding the Cotton Famine, the Free Traders of Manchester have been liberally accused of abandoning the principles of sound political economy, and plentifully sneered at for proposing to the Government of India to turn "Cotton Merchant."* The Manchester Chamber of Commerce in reply on the 16th July, 1862, passed the following Resolution :—

"That any direct interference with the regular course of production and trade, either by the Government of this country, or by any private association, by undertaking to purchase, or giving a guarantee, of a remunerative price, for all the cotton that might be produced, would be contrary to sound principles of trade, and being only temporary, and precarious in its nature, would not be likely to provide for the permanent success of its cultivation."

I see no occasion for the sneers on the one hand, nor the Resolution on the other. The Governments of half the Countries in Europe, are *Tobacco* Mer-

* See—The Times of 3rd July, 1862, letters signed an Old Indian, and many others.

chants. The Government of India has been an *Opium* Merchant for years, with great advantage to the revenues of the State; it is still a *Tea* Merchant with very great prospective benefit to its subjects both European and Native, and to the commercial interests of both England and India; and would that, in the latter sense, the Government of India were also a Cotton Merchant, is a sentiment that I am sure will be heartily echoed by every one who feels for the lamentable circumstances of the starving Operatives of the manufacturing districts of England, and who takes any real interest in the welfare of India. A historian tells us that an Emperor once set fire to his Capital and sung an ode while the flames reduced it to ashes. It is not true. Nor have we here a parallel. Yet, I honestly confess, that the melancholy reflection such an idea gives rise to, involuntarily occurs to me when I observe people in the middle of the nineteenth century, while grim Famine is stalking outside their doors, with nothing more *practical* to propose, than a discussion on the *abstract principles of political economy*,—which have nothing whatever to do with the question!*

When a very much greater quantity of any commodity is thrown on a market, than the buyers in that market require, or will readily carry off, as

* This is precisely what the Bengal Board of Revenue did when a million of people were perishing for want in Orissa last year: January, 1867.

regards that commodity, there is said to be a *glut*. The *natural* consequence is that *prices* fall.

When the converse takes place, *i. e.* when a very much lesser quantity of any commodity than is required, is offered for sale, the market is said to be *stinted*. The *natural* consequence is that *prices* rise.

But, in both cases, values remain the same; and by the *common law*, which, in markets regulated by recognized principles of commerce, compels an equilibrium between *real* and *apparent* values, disturbing influences removed, prices are soon adjusted.

All this, however, pre-supposes realities, actual existences, to deal with. But cut these off, and how stands the case? Supposing, for instance, one country to be *wholly* dependent on another for the supply of any particular commodity, and a rebellion *suddenly* to break out in the former, or a war between the two. The supply is, of course, suddenly stopped. As regards that particular commodity in the market, then, howsoever great the demand, there can be neither *real* nor *apparent* value. It is *non est*, and trades existing on it are stunned. Or if, from a similar cause, the supply, though not entirely cut off, should be reduced so low as to meet but an inappreciable portion of the demand, the result is much the same. This is called, I believe, a *Crisis!*

The laws and principles of Political Economy, as far as with the aid of modern authorities I have been

able to make myself acquainted with them, will not help *any one* here. Smith, who walks about the market with his breeches pockets full of *sound principles* as they are called, will then be no better off than his neighbour Jones, who flings the said principles overboard at once: and a few months later—or after supplies in stock have been worked off—while Jones, if he has made good use of the interval, to seek, or create by his own exertions, a new source of supply, may possibly be floating buoyantly on the surface, Smith will have sunk to the bottom, never to rise again. And it is for the purpose of averting these calamities, which, when they befall us, no Government aid,—no human knowledge or skill will suffice to ward off, that *wise* Nations avoid being dependent on any one foreign Country for supplies necessary to the well being of any large body of their people. It seems almost ludicrous to be talking "first principles," at this hour of the day. But, if people *will* preach, and *will* act, as if they supposed the pharmacopœia of Economic Science, contained remedies for all the ills that trade is heir to, and pertinaciously ignore the fact, that the markets of the commercial world are subject to perturbations altogether outside and beyond the control of its Laws, there is no help for it.

The Cotton Spinners were quite right when they asserted that the Cotton Merchant should no more grow his own cotton, than the Miller should grow his own wheat. According to universal custom, a

grower is one thing—a *manufacturer* another. But if in a time of failure in cereal crops, a miller could obtain supplies of wheat, by growing it himself, at home or abroad, and *by no other means*, I am not prepared to say that that miller would be the wisest in his generation, who sat down in his counting house, and refused to do so; *because* it was not in accordance with 'sound principles of trade.'

There are other points as regards the *principle* portion of the subject, which, having a material bearing on the questions relating to India, it is important should not be lost sight of in discussing matters of the kind where India alone is concerned, or where commercial relations between her and the mother country are called into existence. In the first instance, it must be recollected that propositions based on principles of Political Economy, are true, only, in so far as the conditions and laws which regulate them are allowed free and unrestricted action. Thus, the entire theory of value and prices, as here alluded to, rests on the assumption of a state of society, in which that healthy *competition* which arises from the self interest of all parties concerned, exists. Here the *idea* has not yet been born. Again, in drawing conclusions in accordance with the laws of this Science, such an amount of knowledge on the part of buyers and sellers, as will admit of both making themselves acquainted with the ordinary circumstances and conditions of the trade in which they are engaged, and sufficient

intelligence to enable each to know what is best for his own interests, must be premised. Neither the one nor the other can be predicted of Indian traders generally. Nor would I be understood to restrict the circumstances under which conclusions drawn from premises so based, will be true, to these cases only. The laws and conditions by which propositions in Economic Science are determined, must be recognized, accepted, and acted on by *both* parties in their dealings, or they will be, in a great measure, if not wholly, inoperative. And this must be obvious: for, to take a case in point, suppose our friend Smith, in full prescience, himself, of the remedies which the principles of his science suggest for the indisposition or malady under which his trade may be suffering, quietly to recline in his easy chair, in the confident assurance that his distant relative Jones, who alone possesses the means of relief, will, for his own advantage, at once hurry to his assistance—and, from ignorance of Smith's deplorable circumstances, or failing to see that his interest lies in relieving his sufferings, or from any cause whatever, Jones does not do so, Smith's trade will, in ordinary course, languish, and ultimately die.

But leaving this unfortunate victim of sound principles in the slough in which he has been involved by his own folly, let us attempt some diagnosis of the disease of his trade. It is not very long ago since the elder Smith, Adam Smith,

as he was called, took England, or rather Europe, by surprise, by presenting the world with his 'Wealth of Nations.' Now Adam Smith knew a great many things that his contemporaries did not know. In his speciality, it may very fairly be said, that he was far in advance of his age. Yet experience has shown that Adam Smith's knowledge was defective; and that his opinions, on very many points, were erroneous. The statement of this fact, is no disparagement to the great reformer. It would simply be very disparaging to civilized Europe to suppose that she had stood still on the same spot where he left her so many years ago. But Europe has *not* stood still. She has vindicated civilization, and progressed very far in advance of her old position,—so far, that, as Mohammadans call the age preceding the mission of their Prophet, the 'days of ignorance,' modern Economists would not, I dare say, care to dispute the point with me, were I to distinguish the period prior to the appearance of the 'Wealth of Nations,' as compared with the present, by some such epithet. Certainly, looking at the very long time it has taken Europe to acknowledge the general truth of many sound theories propounded by the elder Smith, they will admit that, had the writings of Mill, Ricardo, De Quincey, and many others who have since successfully attempted a practical adaptation of the theories of this science to the *progressive* advance in knowledge and social philosophy of succeeding periods,

been exhumed from the *debris* of some ancient ruin, a century before the birth of Adam Smith, they would not have been received as Gospels. I use the word *progressive* advisedly, because it must not be forgotten that propositions in Economic Science, unlike those in Physical Science, will not admit of being solved within limits bounded by the abstract principles of the Science itself, and that if any attempt be made to apply principles, without due regard to the circumstances and conditions, social, political, educational, &c., of the nation concerned, it will end in the total absence of any result whatever, or such a failure, as will be more likely to bring discredit than anything else, on those principles it is sought to vindicate and uphold.*

If then, it be admitted that the principles of Political Economy, as understood and recognized in Great Britain at the present time, would not have been applicable in their full integrity to the circumstances of Great Britain in the 'days of ignorance,' it will, naturally, I may say, follow, that to look for happy results from conclusions, based on the *unqualified* application of these principles to circumstances as existing in the days of British feudalism,

* I am very much afraid that it is to a somewhat similar cause, this Country is partly indebted for the destruction of the Indigo trade in Bengal, for the present very lamentable condition of the Tea Trade in Assam and Cachar; and for the death by starvation of a large number of the million of human beings who perished miserably in Orissa last year: January, 1867.

would be to expect, more than this Science contemplated accomplishing—more than was ever dreamt of in the philosophy of its best and greatest masters.

Without stopping, however, to draw any comparison between the conditions and circumstances of Great Britain in the earlier stages of her commercial development, and those of India in her present condition, I will pass on to say, that Englishmen, generally, in dealing with the questions of the nature of that under review, are too prone to adopt a line of *argument*, and more unfortunately still, a line of *conduct*, not very dissimilar to that which when exhibited to them in the above light most people of common sense will readily admit not to be the wisest. In other words, forgetting altogether what Mr. Mill so aptly terms the *dynamics* of Political Economy, they are far too apt to look at economic propositions affecting India, from the *statical* point of view. Now before sitting down to examine a great question connected with the welfare and material progress of England from the Political Economy point of view, there are an infinity of things, peculiar to England, to be taken into accurate account, if it be desired to obtain a result which will exhibit the least possible amount of error. And when we take into consideration, the enormous area, the large population, the great number and diversity of races and languages, the numerous divisions of caste, the different stages of education and civilization of its various provinces and districts, and count-

less other circumstances in which India is antipodal to England, and regarding many, if not most of which, moreover, the knowledge of the best informed on Indian matters is deficient, sound Economists will not dispute, that if the *same* laws which regulate the system in *England*, without any allowance whatever being made for antagonism of ideas and difference of circumstances, be applied to *India*, they will be met by disturbing influences quite sufficient to upset the most accurate and nicely balanced calculations.

For after all, what is a system of Political Economy? Surely it is not a compound of *aphorisms*, or *syllogisms!* Nor yet, the heaping up of a standard of *infallible principles*, to which all cases, occurring in nations in all stages of civilization, may be referred, as to an undeviating *Law!* I do not think so. As I understand it, it is, from our present point of view, simply the *judicious* application of such general principles regarding the production and distribution of wealth, &c., as experience has approved, to the business transactions of a nation [or the world], as will best tend to the greatest development of individual industry, and be most conducive to the public good [or the welfare and prosperity of mankind]. And if this definition be right, it is quite sufficient to demonstrate that this Science must be most intimately bound up with what is called Social Philosophy: that it is eminently practical, and has nothing in common with system-

of metaphysics, dialectics, or physics. Nor is there anything new in all this. Yet are these remarks not irrelevant. For, any person who reads the discussions being carried on in every public journal in Great Britain, cannot fail to perceive that the great National question which now troubles England, is discussed by almost all, if not by all persons concerned, as if it admitted of being decided on economical premises alone. The time *may* come when it will be possible to do this. Some people of volatile imaginations, disregarding organic differences in the bony structure of birds and beasts, still cling to the hope that we may yet fly. Countless skilful mechanics, indeed, have constructed wings so cunningly designed, that in their dreams they have soared beyond even their own imaginations. But, like the artist of the 'Happy Valley' who 'waved his pinions awhile to gather air, then leaped from his stand, and in an instant dropped into the lake,' all have similarly come to grief. And such no doubt, to the end of time, will be the fate of all, who by a misapplication of the abstract principles of Political Economy to the purposes of purely specfllative reasoning, attempt to solve questions, essentially practical in their nature, and inseparably bound up with the social condition, and progress of the human race.

CHAPTER II.

OF CERTAIN PECULIARITIES IN THE CIRCUMSTANCES AND CONDITION OF INDIA, NOT FOUND IN THE COUNTRIES OF EUROPE.

In India, we have very many stages of civilization. By no means an infinitesimal part of the country, is still, in the undisputed possession of wild beasts.* Others are occupied by demi-savage races. Large tracts of country are inhabited by semi-barbarous tribes. In a few districts the state of society is nomadic. But, taking a general view of the whole, the great bulk of the middle and lower classes of the people of the *mofassil*† of India, may be said to be in the Agricultural stage of civilization. Of course there are, and were, when England was peopled by Ancient Britons, many populous towns and flourishing cities; but by reason of the enormous distances and great difficulty of intercommunication, these do not exercise any material influence on the state of society in the interior. The masses—the hewers of wood, and drawers of water, *the tillers of the soil*, have

* See Official Returns showing the number of natives destroyed annually by alligators, tigers, wolves, and other wild animals, and those who die from the effects of snake-bites. They average some thousands; yet the fifth portion of such cases, are never reported. In Sindh, alone, the number of deaths from snake-bites, is *enormous*.

† The country, as opposed to cities or towns.

little, indeed I may say no education whatever; their food is a few handfuls of rice,—it may be wheat or pulse; their clothing covers their nakedness—no more. In many parts of the country the substrata of the people hardly know what money is. Their transactions, though nominally regulated by the circulating medium, are almost entirely carried on by barter. They literally have *nothing* but the land, and their interest in that generally consists only in the right to live on and cultivate it—a right, which though indisputable, is often limited by the will of their Zamindar, or what is a more secure tenure, the custom of the country. Their crops however are almost invariably under hypothecation to the money lender of the village, or in remote regions to the nominal lord of the soil. In the North West, in Oude, the Panjab, and some parts of Central India, the people are better off; but in *some* parts of the Madras Presidency the condition of the people is not so good. Throughout India generally the *raiyit*, can seldom call the crop his own. The cities and large towns are, it is quite true, full of busy people well-to-do, rich merchants and opulent bankers, who carry on much trade; yet, though efforts have, for some time, been made by the Government to improve their condition, by diffusing more widely amongst them the means of obtaining education, the cultivators of the soil, who are legally peasant proprietors, if generally happy and contented, are still as ignorant as they are poor, and live in a state of society little, if at all, removed

from that in which their forefathers lived a thousand years ago. I need hardly say, it is *very* primitive.

We all recollect the corn laws, their action, the excitement their proposed abolition gave rise to in Great Britain, and the intention and objects of that measure. Before the abolition of protection, the universality of some of the most important theories of Political Economy had not been submitted to the test of practical proof; and on this account, the result of that great measure was doubtless looked for with deep anxiety, by the thinking part of Europe. That it has triumphantly vindicated the truth of those principles on which sound Economists took their stand, I need not mention; but I desire to draw attention to the warm and animated discussions that took place in the House of Commons at the time, and the very strong party of protectionists as they were called, that rallied round the leaders that opposed this measure, as evidencing that, short a time ago as this was, free England had not then, generally, given in her adhesion to all the principles of a science which now, it would appear, an influential section of her people expect to be well known and acted on in remote regions of the *despotic* East. But it will be long, centuries I am afraid, before India will be in a position to comply with this expectation,—at present wholly unreasonable. Nor do I think a blind adherence to the naked principles of Economic Science, as applied to an *island* many centuries in advance of her in civilization, will in any way tend

to bridge the interval, or be conducive to the *prosperity* and *happiness* of the people; but on the contrary, I consider that the adoption of such a course will be productive of the very opposite results.

For, let us suppose some of theStates of Rajpootanah, in the centre of which lies the little British possession of Ajmeer, to be visited by a severe famine. As is the custom in like cases, the corn merchants would, of course, buy up all the grain in Ajmeer, and sell it in the dearest market within reach. Now according to the Common Law, as much grain as was displaced by the purchases of the corn speculators, should, for the same cause that led to its displacement, pour into Ajmeer from other neighbouring sources, and the equilibrium of prices throughout the country be maintained. But, unfortunately, there is no *Zollverein* in Rajpootanah. The native chiefs whose territories, on all sides, hem in our little State, being *non-principle* men, not a stone of corn would be allowed to pass their frontiers. Consequently, in the prosperous native States, the price of grain would never rise at all, while British subjects would have to purchase it at famine prices,—a privilege which, could they understand that they were the martyrs of 'sound principles of trade,' they might, perhaps, appreciate; but being very simple, and very poor people, entirely ignorant of the many and hard fought pitch-battles that have been fought on the floor of the British House of Commons, between Free Traders and Protectionists,

I have no doubt they would prefer adopting the customs of their own country, and would consider the neighbouring Rajas wise rulers, and their own Government, either, very imbecile, or very cruel and oppressive. Nor do I cite altogether a supposititious case. Something very similar actually did occur in this district last year; and such cases are almost daily occurring in some part of this vast Empire. As I write 'the Famine in the Deccan seems to have become most severe, specially in the district of Ahmednuggur. The coarsest grain sells in British territory at 8 seers for the rupee, but it is affirmed that our own police obtain it at the rate of 16 seers. On the Nizam's side of the Godavery the usual coercion of the grain dealers has been resorted to, and the rate of 18 seers prevails. But a cordon of the Nizam's police all along the frontier prevents all intercourse from our side. *The people of Ahmednuggur let their cattle go wild, and themselves flock in hundreds to the Railway works.* The wells are dried up, no rain having fallen since June. *We fear this will affect seriously the cotton crop, July being the sowing season.'* *

Such visitations, human foresight cannot avert, but it may be worthy of consideration, whether, for the maintenance of an abstract principle, or an idea, it is *sound* economy to suffer a whole district to be

* 'Friend of India' newspaper, 25th September 1862. The famine in Orissa last year is of course a stronger case in point. January, 1867.

devastated, and hundreds of thousands of poor people to perish with hunger, or be utterly ruined. Famines, the visitation of God, are of too frequent occurrence in all parts of India to create a very lasting impression in any, but their frequency and their severity, renders it all the more imperative that every protection that sympathy can suggest or human ingenuity can devise, should be afforded to the people against sufferings which, if all are powerless to prevent, might yet by some means be alleviated. From the badness of present means of intercommunication in India, we are often compelled to witness the singular and sad phenomenon, of plenty reigning in one province, and famine raging in another.* Much has been done, and more is being done by the Indian Government, to ameliorate the circumstances of the country in this respect: but it has often occurred to me to think, that a question bearing so directly on the material prosperity of the nation, and so interwoven with the welfare of millions of Her Majesty's subjects, might be placed on a *different* basis to that which it usually occupies; and that it would be well for competent persons to examine, whether the outlay that would be required to cover India with a network of roads and irrigation canals, is not already exceeded by the immense amount of wealth annually, and for

* Grain was selling in some parts of India last year, at one maund or 80 lbs. for the rupee; while in Orissa, no more than 10 lbs. per rupee could be obtained.—Jan. 1867.

ever, lost to the country, by those fearful visitations which periodically occur, with terrible severity, in large provinces, and from which India, in some part, is seldom entirely free.

We have before us a Continent as large as Great Britain, and, Russia excepted, half the rest of Europe besides. Its configuration is peculiar. A stupendous chain of mountains, the highest and most massive in the world, stretches along the entire north and north-eastern frontier; high table land occupies the centre; chains of mountains, or *ghats*, run down the south-eastern and south-western coasts at some distance from the sea. Mighty rivers take their rise in these heights, performing in their course to the sea the double duty of fertilizing and draining the countries through which they pass. But the distribution of these great arteries with their tributary veins, is not equally favourable to the whole country, and when, as is often the case, a prolonged cessation of rain takes place in any part, the result is one of those frightful calamities with which North Western India has lately been visited. On the other hand, when rain is excessive, floods sometimes occur, which, submerging the country on both sides of the river for thousands of square miles, destroy the crops of the cultivators.*

The mean quantity of water discharged by *one* of these rivers, (the Ganges,) into the sea, through-

* It was a catastrophe of the latter kind which intensified the famine of Orissa of 1866.—Jan. 1867.

out the whole year, is 80,000 cubic feet in a second, or 6,912,000,000 cubic feet per diem. But during the rainy months the quantity is 405,000 cubic feet in a second; and, as the water of the Ganges yields about one part in four of sediment, it is calculated that during the flood seasons, there daily passes down this river, a mass of matter equal to seventy-four times the weight of the Great Pyramid of Egypt. It is the alluvial soil thus transported by the great rivers of the world, gradually deposited and silently accumulated through ages, that has formed those deltas, the productive resources of which surpass those of all other lands. And the most remarkable perhaps of these, is the delta formed by the Ganges and Brahmaputra, the entire of which will one day, probably, be reclaimed, and form the richest tract of country in India.*

We are thus taught an instructive lesson by nature, who, if she takes a portion of the water which the Earth sends forth, returns it to her in the form of rain, giving back to succeeding generations of man, rich and fertile plains in lieu of the sediment received with the waters. Consequent, in some measure, on causes of this nature, the revenues of the province of Bengal are nearly equal to a third of the revenues of the whole peninsula of India; and,

* A Company, the Sunderbund Reclamation Company, was projected in 1865, or two years after this was written, for the purpose here indicated, but withdrawn in consequence of the financial crisis in Bombay, which followed the conclusion of the American War.—January, 1867.

setting aside the questions of humanity, and *profit*, and taking into consideration, only, the immense *loss* of productive labour and wealth to the country by the destructive ravages of famines, if future experience establishes, even problematically, that a judicious system of roads and water-works, would relieve it from these visitations,* there would clearly be room for the outlay of many millions sterling, at a noble profit. The time for such a mighty undertaking, if feasible, may not be come; but the necessity for the consideration of this, or any other measure bearing so directly on the *existence* of the population, is always present. For, a famine, it must be recollected, is not quite the same in its effects and results in this country, as it is in most countries in Europe. *There*, there is, for the most part, an interval between the failure of the crops and the period of utter starvation, in which husbanded stores and private charity, serve to keep the wolf from the door. Besides which there are many out-lets. In the last famine which took place in Ireland, upwards of a million of people found labour and plenty within a ten days' voyage of their homes. But *here*, how are the peasant proprietors and cultivators prepared for such a calamity? In place of the husbanded store, there is the debt to the *Mahajan* or *Buniya*;† and charity, where all are involved in like distress, is hopeless.

* See my lamented friend Col. Baird Smith's remarks, regarding the Ganges Canal, in his report on the Famine of 1861.

† The money-lender or corn-dealer.

Emigration, again, is barred by distance; but were it not so, want of means would render it impossible. When famines then, occur in India, the people let their cattle run wild, and deserting their homes, wander about the country in search of food. The Indian's love for his village-home is proverbial. To desert it is his *last* resource. Thousands faint on the way and perish; and those who reach a great city, or some of those public works that Government, in such cases, usually press on with more than contemplated energy,* survive but to commence the world a-fresh, with a heavy debt (if not remitted) for the year's revenue of the land, that yielded no

* From a Resolution of Sir Bartle Frere, Governor of Bombay, passed last month (Sept. 1862), honourable alike to his wisdom as a statesman, his ability as an economist, and his humanity as a man, I make the following extracts :—

"The high prices to which grain has risen, and which, after making allowance even for the effects of the recent fall of rain, are 75 to 100 per cent. above the average prices of the last two years, renders the provision of permanent and steady employment for all who require work, essential, to prevent great distress, if not actual want, during the ensuing season. * * * This state of things is aggravated by the prohibition placed by His Highness the Nizam on the exportation of grain from his Provinces, which usually furnish large quantities of grain to the Eastern districts of the Zillas and Southern Mahratta Country. * * * As it is of the utmost importance that measures for relief should not be delayed, *until the people are bordering on starvation and have lost all heart*,† His Excellency in Council desires that the Public Works Department will take immediate steps through the Executive Engineers, in concert with the Collectors and local Native Officers, to organize the gangs of workmen on such of the works above mentioned as may be selected by the local Officers for immediate execution."

† The adoption of an opposite principle by the Board of Revenue in Bengal was a material cause of the interests of the famine in Orissa in 1866.—January, 1867.

produce,—and for the advance received from the money-lender on the hypothecation of the crop that was never reaped.

If such, then, is a true outline of the physical and social condition of India of 1862, it will not occasion surprise if persons interested in its welfare and with some knowledge of its circumstances, should view, with some alarm, the daily increasing tendency of Englishmen to apply to India, in full detail, systems of Political Economy, adapted to a people in a high state of civilization, living under a constitution free as air—a constitution which, if granted to India but for a day, the first act of the legislature would be to vote every Englishman out of the country.

Now, although I say this deliberately, I would not be understood to imply that the British Government is obnoxious to the natives of this country. I simply mean to assert, that the ideas, the characteristics, the religions, &c. of the two nations are distinct; that the masses here are too ignorant to have any political opinions at all; and that in respect of place and power, the upper ten thousand of India are in no way dissimilar to other people—a fact which the rebellion of 1857-58, I think, pretty clearly established. But be this as it may, it will not follow that, because they are willing to undertake the task of managing their own affairs, they are competent to perform it efficiently. On the contrary, to place before the public satisfactory argu-

ments and proofs of the converse of this proposition, is the sole object of this digression. For, what I desire to maintain is, that in proportion as the great mass of the people of India, because they are in a very early stage of civilization, are unfitted for self-government, in such ratio is it the bounden duty of the paramount authority, to *interpose*, and by the initiation of improvements, *adapted* to the circumstances of the country, *gradually* to lead the various races committed to its charge, up to that point in civilization, from which questions affecting the material progress of the Empire, may, *with advantage*, be examined from a purely English point view.

I do not suppose that there is any very great originality in these views, and their soundness must be so apparent to every competent thinker on the subject, that it would be needless to dwell on them here, were it not that we have daily-recurring instances of their being overlooked, or forgotten, by very able men, accustomed for years to deal with economic questions only as affecting nations in a high state of Civilization. It would be impossible, perhaps, to find a happier illustration of what I mean, than the imposition of an income tax in India. Many Indian questions, involving commercial and other special considerations, may have been complicated or involved in failure, by being dealt with by persons without any experience or special training in the department to which the particular

question to be decided belonged. But in this matter no such cause is assignable. The question was dealt with by one of England's best financiers—a gentleman sent out purposely to India, as being perhaps the most competent person in the country to restore a financial equilibrium, and one long accustomed to deal with similar questions in England. The late Mr. Wilson's idea was, 'that a principle good in one place, is good all over the world;'* and, if it was sound Economy in England, 'that those who enjoy the protection of the State must pay for it in accordance with their means,'† he thought it must also be sound in India; and on these points no one will dispute with him. He was aware of the success which had attended the *application* of this principle to a tax on incomes in England, and that no tax *there* was more easily collected, or better calculated, on any sudden emergency, to enable a Chancellor of the Exchequer to turn a deficit into a surplus. Why the same very simple rule should not hold good here —though informed by the writer of these remarks, as well as by many abler men — he could not imagine.

Now the late Mr. Wilson was undoubtedly a very able man. He saw before him a yawning chasm. He saw also that it was hourly widening, and that unless immediate and extraordinary measures were

* I quote from memory of a speech delivered in England previous to his sailing for India.

† Speech by the Right Hon. James Wilson, in the Legislative Council of India, 18th February, 1860.

taken to fill the void, it would involve him in ruin. He set himself manfully to his task, and the desperate situation in which he found himself placed, is some excuse for his attempting to ward off impending destruction by a measure which, if some warned him to avoid, the *European* portion of the outside public of the metropolis urged him strongly to adopt, as the surest, the safest, and the most just. But, had Mr. Wilson's life not been early sacrificed at the shrine of public duty, he would have lived to learn, as his able successor, Mr. Samuel Laing, almost immediately discovered, that a tax, the incidence of which in one country may be comparatively light, equable, and just,—in another may be unjust, intolerable, and oppressive. For, if the amount that will be *willingly* contributed by a people, be a fair test of the suitableness and propriety of a tax—and I really do not think it is possible to find a better—no competent authority will *now* dispute that double, if not treble, the amount collected, by every means of extortion I am afraid, from the *native* portion of the community on account of income tax, would have been *willingly* contributed by them in many other ways. *Europeans* were unanimously in favour of a tax on income in preference to any other kind of tax, and *Natives* were as unanimously against it, and this fact alone goes a great way to aid me in support of the position here taken up; *viz.*, that, if *principles* remain the same, it is to their judicious *application* all Governments, and especially new Governments, must look for success.

There is perhaps no part of the wide range of subjects embraced by the term Political Economy, that is more difficult to define than what are called the functions of Government. So vexed a question is this that, though all may assent to the general and broad principles on which other parts of the system are based, on this point hardly two persons will be found to think *exactly* alike. There are two doctrines, however, which, though each admits within itself of many shades of opinion regarding details, may be said to form rallying points for two great schools of Economists. The disciples of the *one*, advocate the interference of the Government in the business affairs of the people, on the ground that it tends to advance the material progress of a nation. Those of the other approve the *laisser-faire* principle, and consider the interference of Government a mischief, and the greatest hindrance to a nation's progress. The former principle is adopted, for the most part, by the continental nations of Europe. The latter finds favour, and is often stretched to the extreme limit, in Great Britain. Possibly it is the experience afforded by the working of the opposite principle, in nations where the interference of Government has not always been exerted for the good of the people, that has rendered Englishmen so inveterate against the doctrines of that school, as to lean to the opinion that, if Government interferes with the business transactions of the people at all, it *must be for evil.*

The fundamental principles of the one school are, that the persons intrusted with the Government of a Country, by their superior knowledge and ability, must be more competent judges of what is good for the people than they are themselves; and that by their power and command of resources they are better able to carry out all undertakings with efficiency. It is thought, too, that highly cultivated and wholly disinterested persons, such as are usually placed in charge of State affairs, are more likely to study the interests of the people collectively, than persons whose sole principle of action is individual self-interest.

The fundamental principles of the *laisser-faire* school, on the contrary, are that every thing connected with what may be called the 'business of life,' is best managed when intrusted to those who are immediately concerned in it, without the meddling interference of Government officials; that individuals are the proper guardians of their own interests; and that the stronger the self-interest, the more certain is the guarantee that undertakings will be well and efficiently carried out.

Both admit that there are certain functions which, of necessity, appertain to Government; and these are divided into the *necessary*, and the *optional*, or, as I prefer to term them, the *obligatory* and the *expedient*—obligatory, as signifying those functions which a Government cannot neglect without sacrificing the interests of the State or of the people; and

expedient, as signifying those which may be neglected without fear of these results, but from the performance of which much, or the greatest, good, may be anticipated. But here arises a difficulty which sets both schools at issue, and regarding which few of the disciples of either can agree amongst themselves, *viz.* which are the *obligatory*, and which the *expedient?* Volumes have been written,—are daily being written on this subject: but none of the arguments adduced from the 'abstract principle' point, can possibly carry anything convincing with them, for the very simple reason here dwelt on, that the subject cannot be separated from social considerations. The fundamental principles of both schools if rightly applied, may be productive of very happy results; but if misapplied, of quite the reverse. Indeed, there can be no comparison between the two doctrines, for each *properly* contemplates an entirely different order of things. The one pre-supposes a state of society in which the people are not sufficiently enlightened to manage their own affairs; while to admit the truth of the other, it is absolutely necessary to assume an amount of education, intelligence, and many other qualifications on the part of the people, that will warrant the belief, that they are the best judges, not of what they like, but, of what is good for them, and this again requires not only a highly cultivated, but a peculiarly constituted society. Thus, if we take twenty highly cultivated, and highly educated men, and set them around a

board groaning with delicacies, served by a *chef* of distinguished merit, it will not follow that all, or even a majority of them, will eat and drink only those things which are good for them, or that the proportion of the twenty that will do so, will be the same, if their number be composed of Englishmen, Frenchmen, Germans, Indians, Chinamen, or any other of the great families which compose the human race. So it is with the business of life; and it is, consequently, wholly impossible to define, or determine, the proper functions of Governments in the abstract, for it is abundantly clear, that those functions which are *obligatory* in one state of society, will be only *expedient* in another, probably *unnecessary* in a third, and possibly *mischievous* in a fourth.

When, therefore, I asserted elsewhere, that Government intervention was necessary to solve a great Indian agricultural question, I had no intention whatever of combating the abstract doctrine, that matters of business or trade are best cared for when left in the hands of those interested in them. Such undoubtedly is the case—*where people have all the qualifications necessary to render them the best guardians of their own interests*; and looking at the cotton question as one of demand and supply—consumption and production, it will follow, that the Indian authorities were unmistakably right, both economically and politically, in declining, *in the interest of England*, to interfere between the cotton

spinners of Lancashire and Manchester, and the cultivators of India.

My object was rather to suggest to those who in England's distress, see India's opportunity, and desire to obtain for her from the present or any similar crisis, those *permanent* advantages which universal opinion seems to have decided her natural and physical circumstances render her capable of securing, that, looking at the question from a higher point of view, and *in the interest of India,* the case is reversed; and that the principle of *non-interference,* if sound in the one case, will be unsound in the other, in direct proportion to the difference between the state of society in the two countries. And, if I have dwelt at length on the point, it is because there has of late appeared a tendency, on the part of some writers, to carry the *laisser-faire* doctrine beyond its natural and legitimate limits, a course which, in a country where the first grey dawn of modern civilization is struggling hard to make itself visible in the darkness around, would be nothing short of advocating the abdication of one of the most sacred duties of a Government situated as is the British Government in India. For though, to arrest altogether the onward tide of civilization when once it has set in, is not easy, yet the neglect by a Government of its obligatory functions—and what duty can be more obligatory than instruction—cannot fail in a very great degree to check its progress.

All great questions affecting the material pro-

gress of a nation, and especially those connected with agricultural experiments, may be viewed from two stand-points—the *scientific* and the *commercial*. And it will be admitted that the business of the two is so entirely distinct, that if those to whom one appertains, meddle with the other, they are sure to mismanage it. It will not be denied also, that the two go hand in hand, neither being independent of the other. In countries in an early stage of civilization, the former, it will be apparent, properly appertains to Government, for this reason, that the people, from poverty and ignorance, are clearly unequal to the performance of the task; and, considering its bearing on the welfare and existence of the people, the duty, in regard to agricultural experiments of national importance, may well be placed among those that are *obligatory*. In countries in an advanced stage of civilization, the case, like all others, is different. The people are so highly educated, and so *wealthy*, that they are well able to, and, generally, do perform efficiently the duties of both departments, for themselves;—although no country has yet reached that highest state of advancement, of the Government of which it may be said, that to aid the people in the discharge of the first office, is not an *expedient* function.

The Government of India has always, moreover, recognized these principles. I say recognized, because, as must indeed be obvious, a Government, the greater portion of whose surplus means has

been absorbed by expensive wars, and whose time and attention have—in infancy been devoted to measures of self-preservation,—in youth to foreign conquests,—and in manhood—if it may yet be said to have entered that period of its existence—to the work of consolidating its Empire, has had little opportunity of doing more. Hence it is that the sources of immense wealth, existing dormantly in this great peninsula, are yet so partially developed. We have good ground for supposing that Tobacco, Silk, Flax, Wool, and many other products which are in such demand in Europe and America, as to be sources of immense wealth to the countries from whence the supplies are drawn, might be produced here, of as good quality, and as *cheap*, if not *cheaper*, than in any country in the whole world; and amongst the number we may, with much reason, place Cotton.

But with cotton, as with all products of commercial value, for the supply of which there is any competition, assuming natural capabilities for *producing* them in the *quantity* and of the *quality* desired, there is the equally important question of *cost of production* to be decided, before it can be expected that private persons will invest their money in novel speculations, especially if attended, as cotton cultivation in India appears to be, with considerable risks. But as quantity depends generally, on conditions already known, the *desiderata* to be ascertained by experiment are reduced to two,—

—*quality* and *cost of production*. And the *grand* question at issue is:—Whose interest—whose duty is it, to satisfy capitalists on these points—that of the people of the buying or selling—of the consuming or producing Countries?—There is little difficulty in determining that this duty—if duty it may be called,—vests in the people of the producing Country, for an opposite conclusion, would lead us back to that simple state of society in which each consumer (trader, family, or individual) supplies his own wants. Independent, moreover, of this view, as at the present day, no civilized nation supplies all its own demands, to adopt the principle that the consumer should be a producer also, would necessitate his carrying on his operations in a dozen, or it might be, a hundred different places, many of them under foreign rule,—which would be impossible.

But, it may be urged, if the people of the producing country are *infants*, as the law defines that term, and incapable of performing this office for themselves, will not the duty *then* devolve on the party, next most immediately interested in its due performance—the consuming nation? I venture to think not; but rather on the Government of the producing Country, which in such circumstances is, in *loco parentis*, and bound,—always supposing it to be manifestly for the good of the country—to discharge those obligations which her wards, by reason of their tender years, are unable to discharge

for themselves.* Hence, we have the term *Paternal Government*, as signifying, I assume, a Government suitable to a country the people of which are in a state of *infancy*, and unfitted for the management of their own affairs, or self-government. As long then, as a country has a Government, in no case can it be fairly said that the duty of developing the natural resources of that country, devolves on the people of another country. Nor, would it be wise in any Government to dispute this position, for that Government that would shift this responsibility from its own shoulders, and impose it on those of irresponsible agents, would retain no higher place in the affections of her children, than that of a step-mother, and would hardly have the same just right to lay claim to advantages derivable from their increased ability to bear taxation on attaining the age of manhood.

This is a question certainly involving very high and important considerations—a question which perhaps it would be better to leave in the hands of men more accustomed to deal with those problems of political philosophy which Governments are daily called on to solve, and one which I should not have touched upon, were it not for a confident conviction that the interests of both this country and England will be better served, if questions regarding India, involving interests of

* These remarks apply to experimental or model cultivation only.—January, 1867.

great national importance be treated philosophically, if at the same time *practically*, instead of being left to be worked out on the principle of a theory wholly inapplicable to her present circumstances, by the hap-hazard operations of individuals—irresponsible agents, acting often under the exciting influence of a *self-interest*, which need not necessarily conduce to the welfare of the country; and if by these remarks I can direct the attention of deeper thinkers to the subject, and thus contribute to a better understanding of the position and condition of India in comparison with other nations of the world, I shall have accomplished my end.

I would not, however, be understood to advocate a French centralization, nor any of those strange doctrines in economic science with which we are occasionally favoured from that country; nor yet do I mean by the use of the term philosophical, the introduction of that speculative theorism, so much decried a few pages back. Of all systems this latter is the most abominable—the most mischievous; because, being propped up by what are called 'sound principles,' it often deceives or mystifies the public,—as a rule not the thinking portion of the people,—into the belief, that a policy *apparently* so well considered and surely based, will, in the end, be conducive to the best interests of the country, whereas, all the while, it simply indicates a total absence of originality of ideas, a grievous want of common sense, and is the greatest

possible impediment to a nation's progress. On the contrary, I advocate what appears to me to be the most *practical*, and only *practicable*, method of obtaining the end all interested in India must have in view,—the development of her great natural resources, in a manner, at once, the most expeditious, and most beneficial to the country.

For, to take an illustration from common life, let us suppose our old acquaintance Jones, to come into the possession of an estate as large as Yorkshire. His first business would naturally be to have his property surveyed. His next probably to ascertain its value, *i.e.* its capabilities for production, and natural sources of wealth. Well, let us further suppose him to discover that his property not only contains the fine arable land in possession of the tenantry already established on the estate; but large tracts of virgin soil suitable for growing tea, coffee, cotton, flax, hemp, &c. &c., lying waste and uncultivated; rich mines of coal, iron, copper, salt; dense forests of valuable timber, &c. Now what would be the proper course for Jones, or any wise man of business, under the circumstances, to pursue, for the improvement of his property, the welfare of his tenantry, and his own advantage?

This seems a very simple question. It is one, at least, that individuals find little difficulty in solving daily, very much to their own and their country's benefit. But let us follow the fortunes of Jones and his estate. What will he do with it? Well, having

satisfied himself that his property, *i.e.* his lands, his minerals, his timber, &c., are good, and that they can be worked at a large profit, he will certainly not allow his immense wealth to lie long dormant; but will proceed at once to take measures to develop it. This he may of course do in many ways. The usual method adopted is for a proprietor to let out his waste land on such advantageous terms for a limited period, as will induce his surplus tenantry to bring it under cultivation; or, should population be scant, to effect that object by the introduction of foreign labour. This Jones will probably do. With regard to other sources of wealth, the return being usually so valuable, he will very likely work them himself—or should his tenants be so enlightened, active, enterprizing, and wealthy, as to be qualified for undertaking such operations, he might find it advantageous to effect an arrangement with them, by which the undertakings would be worked, something on the *metayer* principle, *i. e.* the tenants finding the capital and labour, and the proprietor receiving a royalty of one half of the profits. This plan would equally well effect the desired end—the lower strata of the people being enriched by the working expenses, the higher by one half of the profits, and the lord of the soil by the other.

But it remains to be considered what course Jones would pursue if his tenants were all very simple people, and possessed of neither enterprize nor wealth sufficient to render them an efficient means

to the desired end. The first idea that suggests itself is, that in such circumstances, Jones would be forced to adopt the first mentioned plan; that is, *having first satisfied himself, by the most careful inquiry and examination, or by experiment*, that he had good ground to assume a profitable result, to undertake the task himself—provided he had capital to carry it out, or security or credit on which to borrow. And the latter contingency, of course, assumes, that the anticipated return from the working of the several sources of wealth on the estate, would far exceed the normal rate of interest of money at the time.

But, it will be objected, if Jones should have neither capital, nor credit, or be incompetent, or a lunatic, or though none of these, should yet, for any other cause, be unable or unwilling, to work out his own prosperity, what would he do then? Would he not be obliged to sit down and wait until he should be more favourably circumstanced—or be compelled to advertize in the journals of foreign countries far and wide, that he had a fine estate capable of yielding untold wealth in iron, gold, fibres, tea, cotton, silk, and abundance of labour, and that any one who liked was welcome to come and make his fortune thereon, in the hope that some rich and enterprizing people would come and help him. No. I do not think it at all likely that Jones would adopt either of these courses. Because, by the *first*, he would probably cut off all hope of *ever* realizing the object

of his aims; and by the *second*, he would certainly postpone the prospect to such an indefinite period, that his grandchildren might never live to derive any advantage from the result. For, supposing Jones to be a good man of business and competent to manage his own affairs, he would at once understand, that people with money would require a far better guarantee, *first*, for the existence of the untold wealth, and *second*, for the cost of producing and bringing it to market, than was contained in his simple assurance, before they could be induced to withdraw their capital from undertakings in which, if the profit were small, the security was unexceptionable, to invest it in operations undertaken for the improvement of an estate, separated by an immense distance from their supervision and control—or before they would themselves leave their homes and set out with their capital to his assistance. If he were a cautious man, too, he would foresee, that even if a few responded to his invitation and *failed*, as almost all *pioneers* do, it would damage the credit of his scheme, and thus materially injure his prospect of success. He would further be aware, that careful speculators would view a prospectus holding out prospects of brilliant success, but unsupported by satisfactory data, with much suspicion, and would naturally argue somewhat in this wise. 'How is it if these speculations which Jones wishes to float on the market, will eventually afford dividends unheard of in Europe, that he does not work them, himself?'

And if he were to allege that he had neither capital nor credit, they would reply, 'Well, Sir, if with such a noble estate, pregnant, as you tell us, with latent wealth, you have not credit sufficient to enable you to put your projections before the public, in such a manner as ordinary people of business find necessary to enable them to obtain the confidence of capitalists, there must be some enormous risk, some mismanagement in the interior economy of your estate, or some other cause unknown to us, that unfits it for residence, or that renders your schemes uncertain or unsafe, and makes it more advisable for us to keep our money where it is—or, at least, to hold back until such time as we see people come from your estate, laden with your iron, your copper, your cotton, your tea, who will satisfy us that they are good of their kind, and tell us what it has cost them to produce them.' In the mean time, if Jones' income and expenditure were closely balanced, he would be compelled, on every sudden pressure, to raise his rents, to enable him to live as he was accustomed to; to construct roads, build bridges, and to perform many other functions *obligatory* on all good landlords. Or, should the Sovereign, or the paramount authority, have fixed the tenure of his lands, this source of increase would be cut off; and his only alternative then would be the Money Lender! When this failed, *i. e.* when his credit was gone, or so far gone, as to render it possible for him to obtain money only at a ruinous rate of interest, he would

be thrown back on his original position, and, abandoning all hope of improving his property, he would be compelled to let it go to ruin, or, at best, to sit down in inactivity with a heavy millstone of debt about his neck, leaving the community of his tenantry in the same state of poverty as that in which he found them.

And in such circumstances, it is very clear, that the *last* state of Jones, would be worse than the *first.*

Jones, therefore, if a man of business and wise, would not entertain either of these ideas; but knowing that in entering on speculations promising a very much larger return than the interest he was already paying for borrowed money, every day passed in inactivity was certain loss, he would immediately set about developing the resources of his estate himself—*if he could.* Or, commencing such experimental operations as would enable him to lay his projects before the public, with such convincing *data* —such positive proofs of success, as would at once guarantee the whole of his shares being taken up, and insure him besides a handsome premium for the risks incident on new experiments—*if he could not.*

That Jones, if equal to the management of large operations, should, *tentatively,* undertake the development of the resources of his own estate, in preference to having recourse to foreign agency, would certainly be better for the community of his tenantry, individually and collectively, and for himself. And

this is clear. Because, while in both cases, the working expenses would go to enrich the labourers (his tenantry), in the latter, receiving *all* the profits himself, he would be able not only to live with greater splendour, but to spend a very large surplus, in works for the improvement of his property, and for the public good. In other words, the entire portion of Jones' wealth would still remain on his estate,—the unproductive being made productive—and the productive, as the natural result of the greater prosperity of his tenantry, being increased many fold.

But as the major part of the success of all undertakings is good management, and as experience has pretty well established that no system of checks *fully* compensates for the absence of the 'master's eye,' it is quite possible that Jones, if possessed of a very large estate, might find himself somewhat embarrassed on this score. His time would be much occupied with other pressing matters. He would be busy examining the accounts of the collectors of his rents; looking after the settlement of disputes and the punishment of offences; giving instructions to his engineers for the construction of works of utility, canals, roads, bridges, &c.; and other business connected with the management of his estate; and could probably devote but a very moderate amount of time and attention to operations undertaken with the view of opening up new sources of wealth. It would be a *sine qua non*, therefore, if he decided on

retaining this department in his own hands, that he should retain at the same time an intelligent and efficient agency, under a chief of ability, in concert with whom he might work out his plans. And the interest of the whole community living on the estate, and of the proprietor himself, would be so great in, and so bound up with, the result, that the necessity for this would strike him at once. For—always supposing Jones to be a *practical* man—he would comprehend, that if he looked on this portion of his business as secondary, and left it to be worked out, in a hap-hazard manner, by persons fully occupied with other duties, who had not moreover the special knowledge necessary for rightly understanding it, the whole of his borrowed capital would very likely be exhausted in undertakings which, under such circumstances, it could hardly be expected, would turn out otherwise than expensive failures, barren of results.

It often happens, however, that great landed proprietors are not fond of entering into mercantile or business speculations; sometimes from a mistaken notion that such transactions are unbecoming the dignity of high personages. Now Jones, being one of a mercantile people, would not, probably, have any scruples, on this score, about turning a penny for his own or his people's advantage, provided he could do so honestly. And it is a very singular fact that, in those quarters where his nation is so much sneered at on this account, we find the most august

personages in the land violating the very principle they profess to uphold. Thus, no one can travel very far over the continent of Europe, without running against *Royal* Manufactories of all sorts—manufactories for clocks, watches, porcelain, glass, tapestry, &c.; and workshops for every description of material on the excellence of which may depend the efficiency of the public service. Much may be said, it is true, on the comparative merits of different systems in regard to the latter; but at present we will not interrupt the course of our illustration, but continue to accompany the progress of our worthy friend Jones in his praiseworthy exertions for the improvement of his estate.

But, if Jones would have no scruples about undertaking business transactions, on the score of dignity, it is more than probable that he would desire to refrain, as much as possible, from interfering in these transactions, from a well-grounded belief that such a course would have a tendency to dwarf the intellects, and paralyse the energies of his tenantry, —the thews and sinews from which he hoped to derive his strength—the main source of all his wealth. If Jones, then, were a man of sound judgment, he would abandon any short-sighted notions he might have had, of looking ultimately to large profits derived from these sources, as a legitimate means of recruiting his own finances, or of improving his estate. His object would rather be to hold such property in trust until the intellects

and energies of his tenantry were so far developed, that they would be qualified for relieving him of his duty, using the surplus profits, in the interim, to supplement the deficiency in the contributions of the tenantry to the general fund, caused by their poverty-stricken and helpless condition. He would carefully avoid entering into competition with his tenantry, and in this view would not occupy the field a moment longer than necessity compelled. There would however, of course, be an understanding between Jones and his tenantry, on his making over his lucrative business, with all rights of direct participation in the profits, and engaging to retire from business altogether, that the loss should be made up to him, either by a handsome royalty, or such other arrangement entered into, as would make him a joint participator in the general prosperity of the community, and thus better able to increase the efficiency of all departments maintained for the public good.

But, if Jones should be compelled, or for any reason should determine, to resort to foreign agency for the purpose of developing the resources of his estate, he would be relieved of the trouble and expense of organizing and supervising a large department to superintend and carry out operations on an extended scale. The necessity, however, for undertaking them on an experimental and smaller scale, and of working them out to a point that would enable him to satisfy those he wished to

attract to his help, that they were good and would pay, would still remain. This business, moreover, would have to be very carefully and skilfully performed, under the superintendence of competent persons; or experiments that should succeed, would fail, and after the expenditure of much money Jones would be no nearer the end of his aims than he was before. On the other hand, if he would save himself the trouble and expense, he must forfeit, as is usual in such cases, considerable advantages. For, though the condition of the operative classes would be much improved by the working expenses, the profits would not return to the country to be again spent in it, but would go to enrich the foreign proprietors of the stock. Still, on the principle that 'half a loaf is better than no bread,' if Jones saw no other means of developing his wealth, than by having recourse to foreigners, he would probably lose no time in adopting active and energetic measures for attracting them to his estate. The working expenses would certainly much enrich his people, and so improve their condition that in time they might, in turn, become developers, and at no very distant date the necessity for the employment of foreign aid might disappear altogether.

It will thus appear that there are three plans that Jones, or a person situated like him, might adopt for working out his prosperity. To leave the task in the hands of his tenantry. To undertake it himself. To avail himself of the agency of foreigners.

And in each case, the method I have pointed out is that, I believe, which an ordinary man of business would be compelled to adopt to obtain his end.

Now, the business transactions of a Government differ in no way from the business transactions of an individual, except perhaps in the greater magnitude of their proportions; and consequently one great secret of their success will always be, that they are conducted on proper business principles. India therefore, in my humble opinion, should adopt one or other of these plans—whichever appears to the wisdom of her rulers most suitable to her present circumstances—and act upon it, as would any good man of business, *without delay*. Thus, for instance, if India has no interest in producing cotton for England, India is quite right to remain supine, and to allow England to look for her supply of cotton here, or there, or any where else she pleases, and to adopt her own measures for obtaining it. For that India should be turned into a field for growing whatever England requires, altogether irrespective of the interests of the people of the country, would be a doctrine too monstrous to admit of argument for a moment. But if India thinks that her climate and her soil are suitable for the growth of cotton, and she desires, *for her own advantage*, to secure a trade in this article of fifteen or twenty millions sterling per annum, but has not the means of doing it, then it is *her* business and nobody else's business, to satisfy capitalists on all those points regarding which cautious persons

require information, before they will invest their money in undertakings of this kind. But in any case, where it is proposed that thousands of square miles of any country should be placed at the disposal of persons operating in foreign markets, and millions of people employed in cultivating it, it will be for the Government of *that* country carefully to consider whether the distribution of profits will be such as fully to compensate for the consequences resulting from the displacement of produce, now for the most part grown for home consumption.

In regard to lands now lying waste, the case is different. The results of placing them under cultivation with cotton, or with any other staple most remunerative to the cultivator, provided the labour-market will bear the strain, can bring nothing but unmixed good to all parties concerned. But the point in regard to the development of Indian sources of wealth, that must be considered before any other, is good management. It is quite superfluous to add that without this nothing *can* succeed; and unless a Minister of State—or call him what you will—be appointed in India, whose special duty it shall be to look after this department, there will be, not simply a want of *good* management, but no management at all, and things will go on much in the hap-hazard way they have done hitherto, experiments being taken up vigorously while a Governor-General interested in their success holds the helm, and as quietly dropped in the reign of his successor. I have not the slightest

doubt that the archives of the Indian Government could pour forth folios of reports, replete with most valuable information regarding the natural products of India, called for, but never used. Hence it is that the same blunders, as remarked by Dr. Royle, are committed over and over again—and the Government in time of need, is so often found running here and there for information, which sometimes it has paid very large sums of money to obtain, and which might be found 'shelved' in the dusty pigeon holes of some Secretary's office close by. Under all circumstances there surely ought to be some one at hand, better informed on these matters than any one else in the country, whose business it should be to counsel and advise the Government. As I write the Calcutta Chamber of Commerce is deliberating on its reply to a solicitation from the Government of India for advice regarding the packing of seeds and cultivation of cotton. I doubt not that the Chamber's reply will contain as much information as could be expected from any respectable body of ten or twelve Englishmen of common sense whose business is buying and selling, and not one of whom possibly may have ever cultivated an acre of ground with any staple whatever. Were there a Minister specially charged with this duty, it would be proper for him in all matters of national importance, to obtain every information from private sources available, throughout the length and breadth of the land, —to analyse, and condense it, estimating the opinions

of all at their proper value; and this *résumé*, embodying also his own conclusions, he would submit to the Head of the Government, who would then be in a position to pass a final order. But I cannot help thinking that the Government of a country in the circumstances of India, that has not such an officer, and is dependent wholly on desultory sources of information, is altogether disqualified from efficiently carrying out any experimental operation of commercial importance whatever; and but very ill qualified to render those private individuals whom it invites to take on themselves the trouble, the risk, and the cost of these undertakings, that assistance which they have a right to expect.

England has her Board of Trade with its President,—a Minister of State. Almost every Government in Europe of any respectability, has its Minister of Commerce. And until India has *her* Minister, with an efficient staff competent to take charge of the vitally important and responsible duties which in this country attach to such an office, I do not think that the undirected and desultory efforts of Government officials, or private individuals, will effect a tithe of what might be accomplished in this direction, with better management, in a quarter of the time, though it is quite possible that they may do a great deal of mischief.

We have seen what an able Minister in a very short time has effected in Finance;* yet the work

* Mr. Samuel Laing.

he had to accomplish was light in comparison to what is left for a Minister of Commerce. Measuring the extent of the improvement in the condition of the people of India that may be effected, by that which has taken place within the last few years, it needs not an over sanguine temperament to believe that, with the rails and electric wires which are now interlacing each other, all over this vast Continent, it is possible to crowd into the short space of a generation, improvements in material prosperity, that in older countries have been the work of centuries. I say a generation, not that that period would be necessary to effect in India a creation of wealth unparalleled in the history of nations; but because the intellectual development of a people is of slower growth, and must always be a work of time. Many nations have grown rich in less than one generation. But no nation on the face of the globe, has made much intellectual progress in less time. Nor will India. Yet until India *is* educated, be it in one, or be it in ten generations, the full development of her great natural resources cannot be looked for; and until the fulness of that time is come, the duty will be a burden on her Government, which for its own sake, for the sake of its subjects, it will be compelled to accept: for, let it perform the task through its own agency, through the agency of foreigners, or by any other means, the responsibility will rest where it was at the beginning, with the Government, and the Government

will not be able to shake it off. The Government, therefore, if it desires to be free, should be active and not passive; seizing with avidity on every opportunity of opening up new fields of wealth, and preparing them for those who it decides shall work therein. But let Finance, Education, Commerce, these three, be placed on a sound basis—let there be a competent head appointed for each, and I have little doubt that all necessity for the direct interference of Government will soon vanish, and India, wealthy, enlightened, and prosperous, putting off her swaddling clothes, will walk alone, leaving her Government to look after such affairs of State only, as older nations, by the common consent of the people, think it better for their national honour and welfare, should be managed by persons appointed for the purpose.

And here I think it as well to mention that there is no necessity to see in this view a tendency to turn the Government of India into a 'Royal Merchant trading to the East Indies,' or to establish it on the model of the old Merchant Company of celebrated memory; nor yet a desire to support in the abstract, the principle of a Government supply of capital. Nothing of the kind. I simply assert that the natives of this country are not in a condition to work out their own prosperity, nor to initiate or carry out such experimental operations, as are necessary to induce others to undertake the task for them, and that if the Government of the country, does not do the work,

or encourage, or set up others to do it for them, nobody else will.

'In India,' I have observed elsewhere, 'we have as yet no communes, no town councils, no mayors or corporations, no religious and charitable societies, &c.—those noble institutions, which, while rendering Englishmen a self-governing people, make the office of Home Secretary comparatively a sinecure.* A civil commissioner there, is a viceroy—the Government, both King and Father. Is a bridge, jail, church, or school to be built,—a road, railway, or canal to be made,—a country to be drained, cleared, or watered, —Government must do the work—it *alone* must bear the cost. No aid from interested parties is solicited, or expected. No advice which local experience might elsewhere render valuable, is looked for, or tendered. The Government of India is the natives' *Kamdenu*—the cow upon whom all have a claim, and whose powers of supply are deemed alike everlasting and inexhaustible. To bear the herculean weight of its burdens it must be provided with the shoulders of an Atlas.'†

* Since the above was written municipalities have been introduced into India; but the municipality of Calcutta is already nearly half a million sterling in debt; and it has been stated in the debates in the Governor General's Council, that the Octroi duties in some towns are interfering with Imperial taxation. Englishmen being birds of passage in India, it is very difficult to entrust them with powers of taxation, and natives do not understand the principles on which such institutions are formed, nor do they appreciate what Europeans think essential to health and comfort.

† Instruction in the Oriental Languages considered, specially

If, in the mean time, outsiders come; by all means encourage them, help them, and give them every facility for helping themselves, provided at the same time, they help India; but good precautions must be taken to ensure that they discharge *both* duties. To cover India with thousands of middle-men, who should take the place of the native money lenders, as I have seen proposed, would certainly effect a change: but I am not so certain that that change would be for the better. On the contrary, it might, indeed most probably it would induce a very much worse state of things than that which at present exists; for, whether true, or whether false, the native cultivators would always believe that these middle-men were backed by the whole weight and power of the Government; and there is no reason to assume that evils which existed for years under a somewhat similar system with Indigo, in Bengal, would not be perpetuated with other crops. The money lender is undoubtedly in some respects a great evil: but he is also in some respects a great good. Could Government be the means of scattering far and wide over the country a system of small commercial banking establishments, undoubtedly it would confer a lasting obligation on the people—could it, by any means, alleviate the evils of the present system of advances it would be doing much good. But to do either, in present circumstances, seems almost impossible; and

as regards the East India Civil Services, and as a National Question, pp. 22. London, 1856.

the wisest thing, therefore, that Government can do, is, instead of attempting to substitute one evil for another, to take the best measures for making the peasant-proprietors of India altogether independent of money lenders, European or Native, at the very earliest possible date.

CHAPTER III.

OF THE MILLIONS OF ACRES OF CULTURABLE LAND THAT NOW LIE WASTE IN INDIA, HOW TO BRING THEM INTO CULTIVATION.

It cannot be supposed, however, that the results which I have foreshadowed in the preceding chapter, will be obtained without much difficulty, probably some disappointments, and certainly very great care and attention on the part of the controlling authority. It is impossible when examining undertakings involving extensive agricultural operations, to exclude considerations connected with the three principal elements of their vitality, *viz.*, Land, Labour, and Capital,—their relation to one another, and to circumstances as existing around them. For, these considerations, as affecting cost of production, it is obvious, must enter if not directly more or less remotely, into all questions connected with the commercial policy of a nation: and, if they be overlooked, complications in regard to one or other, will be certain to arise, that may endanger altogether the success of the undertakings, and under any circumstances cause much embarrassment. At the outset then we are met with the necessity of solving problems, involving fundamental principles in a comparatively new science, which, however students

may have previously settled such problems to their own satisfaction, are still disputed by the ablest economists of our times.

With the general ignorance that prevails regarding the condition and circumstances of India, it will be difficult for Englishmen to understand, how difficulties could arise in disposing of questions relating to these matters, in this country. The general belief is, that, in India, there are millions of acres of land unowned and unclaimed—millions of people starving for want of employment,—and countless heaps of riches—gold and silver and precious stones, &c., tied up in old stockings and such like receptacles of hoarded wealth. But such an idea, if not purely imaginary, is certainly very wide of the truth, and no means will better serve to dispel the illusion than a concise review of the actual facts of the case.

First, in regard to land, it is a mistake to suppose that *all* the waste and uncultivated land in India, is, like the vast tracts in America and Australia, unowned and unclaimed. Much of it has become waste after seasons of famine. Some has been laid waste by the ravages of predatory tribes or hostile neighbours. More is allowed to lie waste from the indolence of the people, and their unwillingness to cultivate a rood more than is sufficient for their bare subsistence. But a large portion of such land is uncultivated, waste, forest and jungle, because the people have not the capital and enterprise to effect its reclamation. The bursting of bunds, the eccentri-

cities of mighty rivers, too, often devastate miles of cultivated lands. For generations land may thus remain waste, and during the interval the right in the soil will, so to speak, lie dormant; but let Government attempt to dispose of the land, or let any one attempt to reclaim or cultivate it, and it will soon be found that this right is fondly cherished, and will be stoutly maintained by some village community, or some representative of the ancient possessor. In the Wynaad district of Madras, in which coffee cultivation has been so successfully introduced, Government has had experience of this, and the fact is well known to all who know India. And there is yet another, and far more powerful cause than any here given, but this I shall notice under a different head.

Of the 13,554,333 acres of culturable land said to be waste in the Madras Presidency, only a very limited extent is said to be 'at the absolute disposal of Government, the remainder being subject to certain established rights of the village communities.'*

In Bombay, the land suitable for cultivation at the disposal of Government, is defined to be 'of the poorer sort,' and in small detached patches, except in districts which are so unhealthy as to be pronounced deadly to Europeans.

The Lieutenant-Governor of the N. W. Provinces

* Official Correspondence—Return to an order of the House of Commons, dated 30th May, 1862.

states, that with the exception of the tea tracts, 'the lands at the disposal of Government in the districts under his charge 'offer very little temptation for the embarkation of British capital by reason of the sparseness of the population, the difficulty of communication, and the deadliness of the climate in which they are situated.'

In Bengal, except in the Soonderbuns, Assam, Cachar, Arracan, Chittagong, and some Hill districts, there is little or no land at the disposal of Government.

In Oude, of culturable waste land, there is said to be 428,243 acres, but this amount it is stated will be greatly diminished by grants to natives. On the prospect held out by the remainder of these acres, the Chief Commissioner thus remarks: 'The cost of felling the trees and grubbing up the brushwood is very heavy. Cultivators must be attracted by liberal advances and very low rents; and if sickness breaks out, which it usually does in a newly cleared tract, all will take to flight. It is a well known fact that not one European grantee out of twenty has succeeded. Those who have ultimately prospered were heavy losers at first, or bought out the first possessors who were ruined. This was Mr. Cooke's case. The very largest settler in Goruckpoor was ruined by clearing the forest too fast; he cut down the tall timber before he had made sufficient arrangements for bringing the land under the plough, and the consequence was, that an impenetrable brush-

wood sprung up which it would have cost him a fortune to clear.'

In the Punjab a very large extent of culturable land is said to be available, *viz.* 7,626,785 acres. But here again we find the same objection raised. The Financial Commissioner in his report on the subject says, 'These lands are not suited for the permanent settlement of Europeans, but the upper portion of them would afford a fine field for European capital and enterprise. The area suited from its climate for the colonisation of Europeans is very limited indeed. In fact the 800 acres at Kotgurh, is the only tract at the absolute disposal of Government which can be pronounced both suitable for colonisation, and desirable from its known productive powers, for the investment of capital.'

In the Province of Nagpoor there are 526,081 acres of land, a great portion of which it is reported might be profitably cultivated.

It is said that in Mysore there are 2,917,361, and in the assigned districts of Hyderabad, 1,710,880 acres of land uncultivated: but of the former it is stated by General Cubbon, the late Commissioner, that 'even if the climate were more favourable, there are not many (of these lands) on which European capital, skill, and energy could be exerted with profit to the capitalist or instruction to the people, except the coffee tracts in the Hilly Western Districts, for the soil in general has proved unfavourable to the production of cotton, indigo, and the

finer qualities of tobacco; while in the careful cultivation of the various kinds of grain and oil seeds the natives of Mysore require little teaching.' He adds that the Sovereignty of Mysore being vested in the Raja, and the powers of administration being exercised, in trust, on his account, the lands could not be released from all demand for revenue; and the same objection is raised by the Resident at Hyderabad.

It is a fact, moreover, satisfactorily established by the investigations of the most competent medical men who have turned their attention to the subject, and, as regards India, especially by those of the late Doctors Mackinnon and Spilsbury, that Europeans born in tropical climates, and not reared in cold countries, die out in the third generation, or if not, become idiotic, or, at best, so physically and intellectually weak and degenerate, as to be devoid of every trace of that energy, enterprise, and vigour, which are the distinguishing characteristics of the Anglo-Saxon race. This is now tolerably well known, and the idea of colonising India generally, has, I believe, consequently been abandoned.

It will be seen, thus, that, as regards the plains, the Government of India has little to dispose of, and that that little is not worth the acceptance of those who can obtain all they require, if land be their desideratum, in regions far more congenial to their constitutions and habits. I have given these statistics then, not because they were necessary to enlighten

Indian Statesmen, who must know, or who certainly ought to know these facts; but because I desire, to exclude from the *whole*, the discussion of a question which ought to be confined to a comparatively limited *part*.

When people talk, generally, of the Secretary of State—of the Government of India, throwing obstacles in the way of European settlers obtaining land in India, they evidently talk at random, and without a knowledge of the true facts of the case. The Secretary of State and the Government of India, as far as regards powers of absolute disposal, have little more concern with the great area of the plains of Hindostan, than Her Majesty's Ministers have with the broad lands of England. But that the subject may be more clearly understood, and following out the principle of looking at these questions from a business point of view, I will add, that were it otherwise—were, for instance, the rights of the people in the soil to be confiscated to-morrow, and all the cultivated and culturable land in India to be put up to public auction the next day, except in unpopulated and wild tracts, and a few districts favoured by a soil and climate suitable for growing an extraordinarily remunerative crop requiring European skill in its management, not an acre of it would come into the possession of Englishmen, for the sound and very simple reason, *that it would be worth the Natives' while to pay more for it!* And this, moreover, is a view, that, for the right under-

standing of the land question in its relation to European settlers in India, it is highly important should be carefully borne in mind.

Of the land actually at the disposal of the British Government in India, exclusive of those lands mentioned as available in the Punjab, about 189,108 acres in the Gorukpoor district, some 600 square miles of rocky hills in the Benares Division, and 2,028 square miles in Sindh, the following table will give an approximate idea.

Pegu	28,111 square miles.
Jubbulpoor Division, N. W. P. .	25,180 ditto.
Tenasserim and Martaban Provinces	14,176,011 acres.
Arracan	4,860,000 ditto.
Cossyah and Jyntiah Hills . .	453,000 ditto.
Assam (4 out of 7 districts) . .	4,469,533 ditto.
Dehra Doon (Himalayan Range) .	141,652 ditto.
Darjeeling (ditto) . . .	250,000 ditto.
Kamaon, Gurwah, Simla, &c. (ditto)	No Returns.
Soonderbuns	809,648 ditto.
Cachar	200,000 ditto.
	Besides some thousands of miles of mountains and plain, covered with forest.
Chittagong . .	Space enough to accommodate any number of European settlers.

The above abstract is as complete as the statements furnished to Government enable me to make it; but it is yet very incomplete. None of the land here returned has been surveyed.

In all the above-mentioned districts rules for the grants of lands were published, Government offering them to the public on the easiest terms.

Thus, in the Soonderbuns, the whole of the grant

was to be rent-free for twenty years, and one-fourth rent-free for ever; the remainder being assessed at about three farthings an acre per annum from the twentieth to the thirtieth year; five farthings a year for the next ten years; two pence a year for the next ten years; and three pence a year from the fifty-first to the end of the ninety-ninth year. After the expiration of ninety-nine years, the grant was to be liable to survey and resettlement, and to such 'moderate assessment' as might 'seem proper to the Government of the day, the proprietary right in the grant, and the right of engagement with Government remaining to the grantee, his heirs, executors or assigns, under the conditions generally applicable to the owners of estates not permanently settled.'

In Aracan, the lands were divided into five classes, forest lands on hills, forest lands on plains, bush jungle, reed and long grass jungle, short grass jungle and fallow lands. These were given rent-free for periods of 34, 24, 16, 8, and 4 years, subject then to rents increasing from 6*d* up to 1*s* 6*d* an acre per annum, for periods varying from eight up to sixty-four years, after which—setting aside one fourth which was to be rent free for ever,—they were to be subject to assessment, not exceeding that of lands of similar quality in the pergunnah or district immediately adjoining the estate.

The rules for the grant of waste lands in the Tenasserim Provinces were very similar to those

promulgated for Arracan for the first fifty years. From that up to the ninety-ninth year they ranged 6*d* an acre higher.

In Assam and Cachar one fourth of the grant, as usual, was to be rent-free for ever; and the remainder rent-free for fifteen years. On the expiration of this period, it was to be assessed at $4\frac{1}{2}d$ an acre per annum for the first ten years; and for the next seventy-four years at $8\frac{1}{2}d$ an acre. After ninety-nine years, the grant was to be subject to the same rule as that applicable to grants in the Soonderbuns.

About the Hill Sanatarium at Darjeeling, grants were permitted to be sold for Rs. 10 an acre.

In the Himalayan Range of the Upper Provinces, where the climate is most healthful and invigorating to the European constitution, one fourth of the grant was to be rent-free for ever. The term of the first lease was to be for twenty years. For the first four years, the grant was to be held rent-free; in the fifth year about $1\frac{1}{2}d$ an acre per annum was to be charged on three fourths of the grant; $2\frac{3}{4}d$ in the sixth, $4\frac{1}{2}d$ in the seventh, and so on—$1\frac{1}{2}d$ an acre being added in each year, till, in the last year, the maximum rate of 2*s* an acre was reached.*

Nothing short of giving the land away, certainly,

* By orders of the Lieut.-Governor, N. W. Provinces, dated 29th September, 1860, the lease was extended to 50 years (the maximum rate, 2*s* per acre, not being reached till the 25th year,) and the resumption clause abrogated in regard to all *cultivated* land.

could be more liberal than the spirit of these rules. Land for twenty years for nothing at all, and for seventy-nine more, at an average rate of two-pence an acre per annum, surely leaves little, as regards assessment, to be desired. But light—nominal indeed as these assessments were, except in the tea districts, and to a very limited extent in the Soonderbuns, they did not serve to attract settlers to the places left vacant for them. The square miles in Pegu, the millions of acres in Arracan and the Tenasserim Provinces, are as barren of European settlers to-day, as if the Government had really placed those obstacles in the way, they are so often, with more rashness than reason, accused of having ever ready to bar the colonist's ingress. These lands have no market value at present, and are not taken up, for the plain and simple reason that 'it will not pay;' or, what is the same thing, the prospect of profit is not sufficiently bright, to induce people to undertake the risk and cost involved in making the experiment, in climates uncongenial to their constitutions, their tastes, their habits, and their associations. Government then, at present, or until some fortuitous combination of circumstances gives these lands a real value, may offer them for nothing, with very great safety; though, if it has any particular desire to plant settlers upon them, it would be perhaps wiser, instead of offering the public a gift of doubtful value—*to pay people to go there!*

And to satisfy ourselves that this view is correct,

and that the result is to be traced to economic laws, and not to any laws of the land, we have only to turn our attention to Assam and Cachar,—provinces which, in consequence of the impenetrable jungle and rank vegetation with which they are overgrown and begirt, and the deadly and noxious miasma and malaria generated thereby, have always been looked upon as the penal settlements of Bengal. The rules under which land was offered to the public in these provinces, were not more favourable than those promulgated for Arracan, Pegu, the Tenasserim Provinces, and other places. On the contrary, instead of a twenty and thirty-four years' rent-free tenure, in Assam and Cachar only a fifteen years' rent-free hold was granted; and at Darjeeling, the very high price of £1. an acre was demanded. Yet, for the last six years, developers and their agents have been hurrying to these places—crowding into them so fast that, as before mentioned, Government could not demarcate and survey grants of land as quick as they were willing to take them up.* Nothing then can be more clearly demonstrated than, that previous

* Since the above was written, from a variety of causes, some within and some beyond the control of Government, the tea interests of Bengal have been ruined, or so nearly ruined that people are now hurrying out of the tea districts as fast as they before crowded into them; and the large wastes reclaimed by them are fast relapsing again into jungle. Those who wish to know more of this subject may refer to my Memorandum written after a tour in Assam in 1864-65—January, 1867.

regulations regarding the tenure of land, have had as little to do with driving European settlers away from some provinces covered with wastes, as they have had, or, in the present circumstances of India, existing regulations will have, in attracting them into others. For the one result an economic law can be found quite as readily as for the other, without laying any thing on the shoulders of a Government, certainly over-burthened already. Settlers were attracted to these places, as soon as it was satisfactorily established that their soil and climate were adapted for growing a highly remunerative crop, and not one moment sooner. Had it not been discovered that the TEA PLANT was indigenous to Assam and Cachar,—had not the Government, *after considerable trouble and expense*, proved that this plant would grow and flourish on the slopes of the Himalayas,—these regions would have been as untenanted now by Europeans as are other provinces where there are forests as dense, and jungles as malarious as those skirting the lower range of the mighty mountains that form the North Eastern boundary of the Peninsula of India. The fact is, point out where there is money to be made, and, if the trouble and danger be not very great, most men will go there. But give an Englishman a certainty —even a fair probability of the money, and the trouble and danger will not enter into his calculations at all. Nay, possibly he will like the undertaking all the better for these accompaniments.

Certainly he will do so, if the danger to be apprehended is from something that he may kill,—tigers, elephants, buffaloes, rhinoceri, game birds, and the like.

The waste-land question in India, therefore, I am justified in saying, was one of *profit*—and *not* one of *tenure*.

It is quite true that the great liberality of the rules for the grant of waste lands above cited, was qualified by conditions, some of which were obstructive. Grantees, for instance, were bound to clear and render fit for cultivation one eighth of the grant in five years, one fourth in ten years, one half in twenty years, and three fourths in thirty years. Government, again, reserved to itself the right of making such roads and bridges as it might think proper, on lands so granted, and also the right to all such timber, stone, and other materials as might be necessary for keeping the said roads and bridges in repair. Objection was taken to these conditions, and when we come to look at the penalty involved in non-compliance with the first mentioned, I am not at all surprised.

In Assam, Dacca, Cachar, Silchar, and the Soonderbuns, in regard to clearances, it was provided:—

"That on failure of all or any of these four conditions—the fact of which failure shall after local enquiry conducted by the Collector (Soonderbuns Commissioner) or other officer, be finally determined by the Board of Revenue—the entire grant shall be

resumed, and the grantee shall forfeit all right in the lands, both those which may be yet uncleared, and those which may have been cleared and brought into cultivation."

Thus, let us suppose our old friend Jones to have taken a grant of 10,000 acres, and at the end of twenty years to have brought one-half, or 5,000 acres, under cultivation. To clear and plant jungle land in Assam costs about £20 an acre. Five thousand cleared acres, therefore, would be worth, in actual expenses to Jones, £100,000. But 5,000 acres planted with tea plants of from 6 to 8 years' growth, would be worth, at *present* market rates, £100 an acre, and 5,000 acres at that price would be £500,000. Now it may have been right to impose certain conditions regarding clearances to prevent land jobbing, and in swampy and jungle districts on sanatary grounds; nor do the conditions fixed, seem to have been severe or unreasonable. But, in the absence of fraudulent practices rendering *extraordinary* legislation a necessity, it appears to me, that a rule giving power, as this does, to a Board, on the simple ascertainment of failure to fulfil any *one* of these conditions, and without any enquiry into the cause, to confiscate Jones', or any one else's property, to the value of half a million sterling or more, or less, as the case might be, could not be desirable; and that the enforcement of its provisions, would not only be the arbitrary and unjust exercise of a despotic power, but that the

retention of such a clause in the Revenue Statute Book, would reflect discredit if not disgrace on the Government of any civilized nation.

The intentions of the framers of this rule were doubtless the very best and purest. They desired not to sacrifice the interests of the country to those of individuals, and they could not devise any other means of accomplishing it. I am not aware, moreover, of this clause having occasioned much inconvenience—though the rage for tea-planting being of very recent date, the time for putting them in force had not fully arrived—and I am certain that in practice no injustice would have been perpetrated. The existence of the rule however, rendering, as it did, the tenure of every acre of a grant precarious for the space of thirty years, or more, was a blot which could not have been allowed to disfigure the revenue code of any province in India, had there been a minister of commerce, well acquainted with the principles on which business transactions are carried on, at the right hand of the Viceroy, for no rule could possibly have been framed better calculated to defeat the very object the British Government had in view. It would seem, too, as if some such light had already begun to dawn in Bengal. For, in the rules promulgated for Arracan, provision was made for due notice being served on the grantee, requiring him *to show cause*, why the whole of his land should not be resumed, and directing judicial proceedings, open to appeal in the usual

manner, in each case. A proposal likewise came up from Bengal to the Government of India in 1860, to modify this clause of the waste land regulations; and to provide that in case of failure to comply with all, or any, of the clearance conditions, 'such portion of the grant only as shall remain uncleared, or not rendered fit for cultivation at the time of the enquiry shall be resumed,' the Lieutenant-Governor, while he considered the conditions to cultivate the whole of the culturable land of the grant, and certain portions thereof within certain intermediate terms, indispensable, 'seeing no reason for making the whole grant forfeited on breach of those conditions.'*

The rights reserved by Government in the grant, again were open to some objection, while the rights, real or imaginary, preserved to the natives, of grazing cattle and cutting timber, if they did not annihilate all security of property, were certainly prohibitory of all industry and enterprise. The following, indeed, reads like an extract from the chronicles of the King of Oude, or the Ruler of some other native State, yet it is taken from a Blue Book on waste lands situated in territories under British rule.

'After spending nearly £40,000 in the three estates of Hope Town and Arcadia alone, in reclaiming the waste lands, bringing a population into

* Bengal letter, No. 1998, dated 8th August 1860, to Secretary Government of India.

the Doon from the plains, building mills, machinery, canals, draining, &c., the Government ruled that our proprietary right was inchoate only, and therefore not complete even in lands brought under cultivation.'*

'Permission was given to any one who sought it, to fell and carry away the timber in our forests, on the payment to Government of a price for the privilege and right of so doing, and which was collected on its leaving the Doon, not as a toll or tax, for the tax upon timber and other articles imported had been abolished in 1836.† Our right to protect and preserve our property was disputed or overruled by the Government, until the right for which we had been struggling was annulled, by the destruction of all timber, even to the seed-bearing trees. We were compelled to submit to trespassers from the plains, who brought with them extensive herds of murrain-infected cattle into our grants, by which hundreds of our cattle perished. We have had lime-burners cut down our finest timber for fuel for their kilns, because the Government had reserved to itself and to the public the right of taking limestone from lands, provided the price for the privilege was paid to them.'‡

* The opinion of counsel was taken on this subject, both in India and England, which declared the proprietary right of the grantees to be complete.—*Note by Col. Thomas.*

† *See* Acts XIV. of 1836, and XIV. of 1843.

‡ Letter from Lieut.-Colonel C. F. Thomas, Joint Proprietor and sole manager of East Hope Town and Arcadia Grants, to the Superintendent Dehra Dhoon, dated 10th October 1859.—

'If then the intentions of the Indian Government were pure and disinterested in this matter, and this I think will not be questioned, it is abundantly clear that the regulations for the disposal of waste lands required most careful revision, and some modification. This appears, moreover, to have been for some time felt by the Government of India; and, that attention was not earlier directed to the subject, was probably attributable to the total absence of settlers, or to circumstances, before alluded to, which combined to keep the hands of the supreme authorities ever full with matters affecting the stability of the British rule, or having for their object the consolidation of the Indian Empire. The time, however, had now come for seriously considering the question of waste lands in India. Tea cultivation in Assam, Cachar, and the N. W. Himalayas, and Coffee cultivation in the Wynaad district of Madras, had made considerable progress, and were found to offer, not only safe, but highly profitable investments for capital. It was, moreover, essential to the success of these undertakings, that the operations should be carried on under the superintendence of Europeans. Enquiries, also, had, from time to time, been made of Her Majesty's Secretary of State for information regarding these lands; and Lord Stanley, on the

Blue Book, 16th June 1862. In forwarding the letter from which the above is extracted to Government, the Superintendent made no comments. I assume therefore that he was satisfied to allow judgment to go by default; otherwise I should not have reprinted the passage.

16th March, 1859, had addressed the Viceroy in these terms:—

'I observe it stated in the papers which accompany your letter under reply, that the extent of culturable land in the Punjab, at the absolute disposal of the Government, is very limited. With reference to applications which may be made in this country for grants of land under such conditions as, after considering my despatch of the 22nd December last, No. 2, you may be prepared to recommend, it is very desirable that Her Majesty's Government should be informed of the extent of land capable of cultivation at the disposal of the Government, not only in the Punjab, but throughout British India, and I desire that you will take such steps as may be necessary for obtaining that information; you will then submit it to me in a condensed form, accompanied by a statement of the conditions which, having regard to the difference in the systems of revenue administration prevailing in the respective localities, you would recommend for disposing of such lands, either for terms of years or in perpetuity, to persons desirous of bringing them into cultivation. Your report should distinguish, as far as possible, the present state of these culturable tracts; whether they are covered with timber forests, or consist of grass plains interspersed with jheels, capable of being drained, or if they are tracts requiring expensive artificial means to make them productive. Her Majesty's Government will then be enabled to afford

to applicants in this country an amount of information respecting the facilities offered to persons proposing to settle in India for agricultural purposes, which they are not now in a condition to furnish. All such applicants will, of course, be required to make their arrangements with regard to the occupation of land with the local authorities.'*

On receipt of these orders, information was immediately called for from the different Governors and Lieuts. of Provinces by the Governor-General. The local Governors, again, called for reports from all Commissioners of Revenue and other officers of experience under their authority, and a variety of opinions, with details of considerable interest, were collected, and submitted to the Supreme Government for consideration. In the mean time, a second despatch from the Secretary of State sanctioned the commutation of annual payments by one payment, and the terms were notified in the 'Gazette.'† By this measure, that the Home Authorities had taken up the question, was noised abroad. An extraordinary excitement followed. From the thousands of square miles in Pegu and Jubbalpoor—from the millions of acres in Arracan, in the Tenasserim Provinces, in Chittagong, &c., it is true, not a sound was heard; and the demands of the tea planters of Darjeeling, and the coffee planters of the

* Despatch of the Secretary of State, dated 16th March, 1859.

† See Calcutta Gazette, 17th August, 1859.

Wynaad had been satisfied. A small voice spoke in the Doon of Dehrah. But for the rest, the great wastes of India were silent, or if their stillness was broken, it was but by the roar of the tiger, which proclaimed them untenanted by man. In Calcutta, however, a cry was raised by the owners or agents of some half dozen tea concerns in Assam and Cachar—a cry, not for the removal of the resumption and other objectionable clauses of existing rules, —not for a new set of rules for the Provinces with which they had any concern; but for the sale in fee-simple of the *whole* of the waste and uncultivated lands throughout India—*at 5s an acre!* Nothing short of this, it was asserted, would meet the wants of capitalists, planters, and settlers. The withholding of this, it was put forth, retarded all European enterprise, for the establishment of cotton plantations, tea, and other agricultural enterprises. For this the Lieutenant-Governor of Bengal was addressed,—for this the Governor-General in Council was petitioned,—and for this the strongest pressure of the Press was brought to bear on the Supreme Authority in India. No delay could be tolerated. The necessities of the planters were imminent; and it was considered harsh and unjust on the part of the Indian Government, to refuse any longer that which the Lieut.-Governor of Bengal had so strongly recommended,—that which, it was asserted, had been already conceded by the Secretary of State, when he sanctioned the redemption of the land-tax

in Madras, and the commutation of annual payments in Bengal.*

It is quite true that in August 1860 the Lieut.-Governor of Bengal had transmitted to the Government of India the draft of a new set of rules for the disposal of the waste lands in the provinces under his Government, providing for the sale of grants as a 'valid heritable and transferable tenure in perpetuity,' subject however to the conditions previously in force regarding clearances, except as regards the penalty of forfeiture, which included only such portions of the grants as might not have been brought under cultivation; and the mind of the Calcutta public was in the state above described, when these rules were brought before the Supreme Government for consideration. One Member of Council wrote a Minute, strongly advocating the sale out-right of all waste lands;† another drafted a set of rules for carrying the measure into effect; and His Excellency the Viceroy, after considering in Council the opinions of all his Lieutenants and their subordinates on the general question, published, on the 17th October 1861, a Resolution, in which he sanctioned the sale of all unassessed waste lands

* These are the men who have done so much injury to the interests of tea cultivation in Eastern Bengal, one of the finest and most promising agricultural enterprises ever undertaken in India. Yet these very identical men and their friends, are now clamouring to be relieved of the lands they so eagerly purchased at ten times their actual value, because they cannot pay for them.

† See Parliamentary papers—Waste Lands (India).

in India, 'in which no right of proprietorship or exclusive occupancy was known then to exist, or to have existed in former times and to be capable of revival,'—at 10*s* an acre for cleared, and 5*s* for uncleared land:—

'As regards the sale of waste lands,' observed Earl Canning in introducing this Resolution in Council, 'there can be no question of the substantial benefits, both to India and to England, which must follow the establishment of settlers who will introduce profitable and judicious cultivation into Districts hitherto unreclaimed. His Excellency in Council looks for the best results to the people of India, wherever in such Districts European settlers may find a climate in which they can live and occupy themselves without detriment to their health, and whence they may direct such improvements as European capital, skill, and enterprise can effect in the agriculture, communications, and commerce of the surrounding country. He confidently expects that harmony of interest between permanent European settlers and the half-civilized tribes, by whom most of these waste Districts, or the country adjoining them, are thinly peopled, will conduce to the material and moral improvement of large classes of the Queen's Indian subjects, which for any such purposes have long been felt by the Government to be almost out of the reach of its ordinary agencies.

'But it is the firm conviction of the Governor-General in Council that, in order to obtain perma-

nently good results from such measures, it is indispensable not only that no violence be done to the long existing rights which, sometimes in a rude, sometimes in a complicated form, are possessed by many of the humblest occupants of the soil in India, but that these rights be nowhere slighted or even overlooked. Scrupulous respect for them is one of the most solemn duties of the Government of India, as well as its soundest policy, whatever may be the mode in which that Government may think fit to deal with rights of its own.'

In these two paragraphs (which, with two paras. regarding the redemption of the land revenue, are probably the only portion of the Resolution drafted by his Lordship's hand) we learn the objects and reasons of this great statesman and upright and good man, for a measure which will mark a memorable epoch in the fiscal laws of the British Government of India, and which, as effectually overthrowing all those barriers, said to have been hitherto set up between British enterprise and the development of India's wealth, rendered the solution of this question, which has so long occupied the attention of English and Indian statesmen, a matter of time alone.

But the terms of the Resolution, were not accepted in their integrity in England. Her Majesty's Government, while it cordially participated in the sentiments contained in the second of the paragraphs above quoted, considered the proposition

'to divide all the unassessed and unclaimed lands throughout India into two classes, those which are 'encumbered with jungle,' and those which are not, and to sell the lands of each class at a uniform price per acre, without any regard to their situation or to their presumed fertility' as 'untenable;' and directed that the plan followed in most of the British colonies should be followed, and the lots for sale put up to auction, and sold to the highest bidders above 5*s* an acre. It also objected to the provisions for placing purchasers in possession before the lots had been regularly surveyed; and to the manner in which prior claims of occupancy or rights of property, were disposed of; ruling that all lots should be surveyed and their boundaries demarcated before sale, and be sold subject to any 'rights of property,' or other claims that might be established in a Court of competent jurisdiction. The Resolution had further given power to all holders of grants which had already been given for a term of years at progressively increasing rents, to redeem the future land revenue at the highest rate fixed during the currency of the grant, provided it did not exceed the rate fixed as the price in fee-simple of wastes; but the latter provision Her Majesty's Government considered, fixed the price for such lands within too narrow limits, and disallowed it.

For the rest, the orders of the Governor-General were allowed to stand. All waste and unassessed lands at the absolute disposal of the Government of

India, therefore, may now be put up to auction at an upset price of 5*s* per acre, and sold in fee-simple to the highest bidder, the purchaser being called on to pay 10 per cent. of the purchase money down, and being permitted to pay the balance by instalments within 10 years, subject to an annual charge of 10 per cent. on the portion of the purchase money unpaid, until the whole is liquidated.

The proposal to sell out-right 100,000,000 acres, more or less, of land,—an area far exceeding in extent many principalities of Europe, would, at any time, and in any country, be a question requiring very serious consideration; but when such a question arises in a country the main source of the revenues of which is the rent derived from land, the necessity for thought and reflection is much intensified. Lord Canning, doubtless, conceived that in introducing this measure he was acting in the spirit, and in full accord with the principle, of the despatch of Lord Stanley, which contemplated disposing of these lands *in accordance with his recommendation*, either 'for terms of years, *or in perpetuity*;' and with his ripe experience of India, that he should be unwilling to leave a measure, fraught with interests of such magnitude to the country he had governed for six years so successfully, to be carried out by a new Viceroy, is perfectly intelligible. In this sense, it is probable, he acted; and as he had no defined instructions from Home, it is not surprising that differences of opinion should have arisen on points

of detail between the two powers. These differences have been freely commented upon, the public journals teeming with articles,—as regards the waste land question, generally adverse to the modifications of Her Majesty's Government. That necessity compelled the publication of these differences was unfortunate; for there can be no question, that in the present condition of the people of India, it is of paramount importance that the authority of the Viceroy should, if not in reality, in appearance, be almost supreme; but the occasion, as involving an act to be felt, in its effects, *for ever*, was one of that singular importance to the future of India, that had the highest authority, refrained out of deference to a principle—in favour of which it can hardly be doubted considerable concession was made—to insist on such modifications in the Resolution as were conscientiously believed to be essentially necessary for the protection of the interests of the State, or for the good of the country, the act would have been criminal. Many of the arguments, moreover, brought forward in England, against these modifications, as being applicable solely to countries very differently circumstanced, lose all their force when brought to bear on India.

It is not competent to me, however, to discuss this portion of the subject. Nor is it necessary. The question which was agitated, is decided—the cause which was tried, has been gained; and henceforth Englishmen can come and buy as much of the

waste and unoccupied land of India, as they choose to pay for, at whatever rate, over 5*s* an acre, the market of the day shall decide them to be worth. Time will satisfy all parties as to the quantity,—out of the tea districts,—they will take.

My own opinion on the general question, viewing it both from the settler's or self-interest stand-point, and from a higher point of view, is, that the *sale* of all the waste lands in India was altogether *unnecessary*,—that the agitation for it was *mischievous*,—and that its concession was *inexpedient*.

I think that the sale of these lands in fee-simple was *unnecessary*,—*first*, because, as regards security of title and right of property,—the only essential points involved in the question,—all the advantage that could possibly result to a settler or capitalist, could have been obtained by other means, without raising a question which in India must always be involved in difficulties. *Secondly*, I think that it was unnecessary,—because nobody wanted it; if we except a few persons in *two* divisions of Bengal, who wished to dispose of some tea estates in the London Market, and who believed that this kind of title best suited English ideas and would consequently take more readily with buyers,—and some others interested in tea land in the same districts, who, not understanding their own interests, were led away by popular excitement. And *thirdly*, I think that the measure was unnecessary,—because, if the object of the Government consisted in attract-

ing European settlers into the districts in which waste lands are situated, in those districts from whence the cry for the sale of land in fee-simple emanated, *that object had been already gained without it.* At the very time, the cry for the fee-simple was being raised in Calcutta, scores of Europeans were pouring into Assam and Cachar, *a hundred and fifty thousand* acres had been already leased, and more was being daily applied for—far more than to bring one third part of which into cultivation there was even a remote prospect of getting either capital or labour for. Or were it true that both these *desiderata* could be obtained—which, however, was not the case,—the seed for the only crop it was desired to grow, could not be procured but in the most limited quantities, for the supply did not equal a *tenth* part of the wants of those already in possession of the field. Instead, therefore, of there being the slightest necessity for attracting Europeans to those wastes from whence the cry came, by the concession demanded, the necessity, if necessity there was at all, lay entirely the other way, and consisted, rather, in warning an excited public against too hurriedly rushing into a field which, looking at the circumstances of the cultivation in progress, was over-occupied already; or placing such checks as would serve to keep the immigration of Europeans within the limits prescribed by the circumstances of the Province, and the cultivation in question. Indeed it became

ridiculous to argue the *necessity* part of the subject, after the offer to purchase the fee-simple had been made to the settlers at Madras, and *declined!**

I think that the agitation for the sale of waste lands in fee-simple was *mischievous*,—because the demand, including in its scope the *whole* of the immense wastes of India, and involving the abandonment by the State of its claim for revenue from these lands for all time to come, required more cautious legislation than would a simple request for the removal of the objectionable clauses of existing rules,—and hence it followed that the rules under which it has been thought advisable or expedient to sanction this measure, though possibly suitable for large capitalists, are very much less favourable to the great majority of Europeans already established in Assam, Cachar, and the Himalayas, and any that under present circumstances are likely to go to these places, than those previously in force. Under former rules, a developer, or his agent, proceeded with his little capital to the spot upon which he wished to settle, and looked out for a bit of land suitable for the crop he wanted to grow. Having found it, he applied for it—and the moment the Board of Revenue's sanction was obtained, he was put in possession of

* The truth of these remarks, written in the latter part of 1862, is fully borne out by the ruin that has been brought on countless people in England and India, by the collapse, in great part from the causes here indicated, of tea in 1866—Jan. 1867.

it. He was not hampered in any way—there was no survey, no advertisement, no auction. One-fourth of his grant was rent-free *for ever*. For the remainder, he was not asked to pay a single sixpence to Government, or to any one else, for fifteen years, and then only about 6*d* an acre per annum, for eighty-four years to come. By this arrangement he was enabled to expend the whole of his means, minus the cost of his own support, on his land, and double, or, in tea, quadruple his little capital before the Government asked him for one farthing of revenue.

And in what position I would ask have his friends placed him? He now goes to the spot, and, after considerable labour and trouble and some loss of time, having selected, to the best of his judgment, a plot of land suitable as regards soil, climate, and position, for his wants, he applies for it,—and is *not* put in possession. As soon as is *practicable*,* it is, *at the applicant's expense*, surveyed. It is then advertised, and, after the expiration of one month, is put up to auction and sold probably to somebody else, who, a thousand miles off, may have been advised by letter that the *spec* is a good one,—or possibly to some one nearer at hand, who, not having taken any trouble, nor expended either time or money in its selection, is, of course, in a position to pay more for it. But if the land is knocked down to our settler, he must pay 10 per cent. of the purchase

* One surveyor has been sanctioned for Assam, a province containing some five or six millions of acres of waste land.

money down, and 10 per cent. on the balance for ten years to come, or forfeit it if he fails. Thus, if Jones had taken a grant of 4,000 acres, under the old rules, he would have *nothing* to pay for fifteen years, and then only an average of 6*d* an acre on three-fourths, or £75 per annum, for the next eighty-four years; but if he *now* takes a similar grant, he must pay *down,* in addition to the cost of the survey, &c. &c. £1,000, or £100 within three months of the day of sale, and £90 per annum until he is able or willing to pay the balance, under pain of having the grant sold in satisfaction of the Government claim. But the cruelest part of the arrangement is, that, while under the old rules, he had a good title, holding his land, as he now must, subject to any 'rights of property' third parties may establish in it, under the new, he has not a saleable title at all.* Under these circumstances, to my mind, the last state of Jones is very much worse than the first. On this point, however, we are saved the trouble of surmising. Will settlers who hold grants under the old, commute under the new rules?

I think that the concession of the sale of waste lands in fee-simple was *inexpedient* for many reasons. In ordinary sales the *seller* fixes, with reference to the demand, present or anticipated, the price he will take, and holds until he gets it; or, watching the fluctuations of the market, he often exercises a

* No law on this subject has yet been passed.

sounder discretion by lowering his price, to such a sum as will leave him a fair profit. Failing his obtaining this, if the article will not spoil, he holds for another season, or carries it to another market. Thus, a seller, may fix a price beyond what a buyer will give, and a buyer may offer a price below what a seller will take. Under ordinary circumstances, however, though the sellers fix the price, the buyers regulate it, the action of each—always supposing healthy competition—operating to establish an equilibrium. This, I believe, is termed the 'market value;' and as regards buyer and seller it may be considered *mutually* arrived at. If, however, a seller has a monopoly of any commodity, *for which there may be a demand*, the case is different. He then fixes his own price, and buyers, unable to regulate it, have no alternative but to pay it—or go without. This may be called the *seller's price*, the limit to which, can be determined only, by equalizing the ratio the necessities of the parties bear to each other, or that of the quantity in demand to the quantity of the commodity for sale.* Another case is the

* Mr. Mill (Principles of Political Economy, p. 543) objects to the term *ratio*, on the double ground of its being unprecise, and inappropriate. It may be so; for, to speak of a ratio between two varying magnitudes is mathematically absurd. I use the term, because it is current; and he has not, unfortunately, left us any better to define the operation by which an equilibrium is effected—by which the terms of the *equation* are made equal. In objecting that the quantity in demand is not fixed, but varies according to the *value*, he says: "The demand, therefore, partly depends on the *value*. But it was before laid down that the value depends on the *demand*. From

converse of this, *viz.*, that in which the monopoly lies with the market, in which case the price is fixed by the buyers, as, for instance, in auction sales without reserve. This, however, is a species of sale, which, in consequence of the greatness of the risk, is never resorted to except in markets where the competition is known to be such as to guarantee to the seller a good, if not the highest price—or in what may be termed 'forced sales.' When we read that Mr. ——'s property has gone to the 'hammer,' we need not to be told that he is no longer in a position to put his own valuation upon it. There are very many points in connection with this subject to be considered before the phenomena of values and prices can be rightly understood. My object, however, is not to define laws, but simply to cite the different kinds of valuations of property adopted in the ordinary busi-

this contradiction how shall we extricate ourselves?" He then lays down the following equation of value. "Demand and Supply, the quantity demanded and the quantity supplied, will be made equal;" and defines "the *value* a commodity will bring in any market" to be "no other than the *value* which in that market gives a demand just sufficient to carry off the existing or expected supply." Now this is quite intelligible to any person with a tolerable knowledge of the subject, who reads Mr. Mill's lucid explanation; but his definition does not leave it clear whether the value regulates, or is regulated, by the demand, or neither, or both; and as he uses the word *value* to define both the operation and the result of it, we are not left a very great choice of terms. Value is no doubt, as it were, a compensating balance between demand and supply; but how to define the operation by which it adjusts itself, or is adjusted, and at the same time express that the value will be highest when the demand is greatest and the supply least, and *vice versa*, is a difficulty the resort to mathematical phraseology has not surmounted.

ness transactions of life. If I have done so correctly, there would appear to be three—the mutual valuation of seller and buyer,—the valuation of the seller,—and the valuation of the buyer; and the conditions of sales under each of these denominations, which for our purpose may be considered essential, are:—for the *first*, a market in which to negotiate the transaction; for the *second*, such a demand as will guarantee to the seller a fair profit; and for the *third*, such active competition as will *ensure* him against loss.*

Now the question in regard to the thousands of square miles of waste lands in India, is: Are any one of these conditions found? And I think I may safely answer—they are not. That there is no market will not be disputed;† that generally there is no competition will not be denied; and that the demand is confined to the tea and coffee districts, if not patent to all before, the cotton famine has satisfactorily proved. If, then, these things be true, and the condition of affairs is really as I have sketched it, no further arguments, I should think, are wanting to prove that circumstances are not such as to render the present a favourable time for

* I once saw a horse, certainly worth £10, sold at auction for five shillings.

† By a market I mean a city, town, or place, where information can be obtained by purchasers, from a Government Office, agencies, or other sources, and where brokers, &c., and other appliances for determining the market value of the thing for sale exist.

a general sale out-right of all the waste land in India.

Again, it is an implied condition of mercantile transactions, that both parties, buyer and seller, know, or are supposed to know, both the intrinsic value of the commodity to be sold,—and their own interests. Now, independent of situation in regard to a market, &c., a necessary condition to determining the value of any land, is a knowledge of its natural properties, or to use more definite terms, its capabilities for production; and to do this, plainly, some knowledge of the nature of the soil and its mineral wealth are necessary. The geological survey of India has not extended to a hundredth part of the uncultivated part of the country.* It is only the other day that the climates of Assam and Cachar, were looked upon as deadly to human life, and their soils as capable only of producing dense jungle and the rankest vegetation. The capabilities of the soils of much of the great wastes of India are as little known, as those of these now coveted lands were then. No one then can possibly be in a position to say what is their value. Hence, probably, the determination to sell them by auction. But here, again, we are forced on the horns of a dilemma, for it has been already shown, that, in the absence of

* A more important reason for not selling wastes now, is the progress of railroads, which will, of course, give a very high value to all culturable wastes in their vicinity, which may now be worth nothing.—January, 1867.

the most active competition, this species of sale is precisely that in which there is the greatest possible risk of loss; and to fix a limit, or upset price as it is called, to any purpose, it is an essential that the value of the thing to be sold be ascertained, which in regard to this land, has been determined to be, at present, impossible. Gladly would I get out of this difficulty, but truly I do not see the way.

I am fully aware of the differences of opinion regarding the relative values of land and capital in wastes reclaimed, and that some economists have gone so far as to assert that the whole is capital, and that waste land, therefore, has no value.* But we have only to consider the length of time over which this outlay is spread, and to place against it the accumulated wealth of the produce of the land, and the fallacy is transparent. When rich deposits are taken from the bottom of the Sea, or other place where they are not now utilized, and laid on barren rocks, that land may be called capital; but if so, it is capital not invested *in*, but capital converted *into* land, and its value is determined, not by the cost of its formation; but by its fertility and advantages in relation to other lands in the neighbourhood. The

* Mr. Carey, an American Economist, in his "Principles of Political Economy," asserts that all the land in any country is not equal in value to anything like the capital that has been laid out on it; or, in other words, that to bring the land of any country to its present condition, from a state of primeval forest, would not pay. He concludes from this that all rent is the result of capital expended, which theory, if true, would vitiate the principles of a tax on land.

exchange value of land, like that of everything else, is affected by circumstances—proximity to markets, population, roads, rivers, climate; but there is still its power of production, which the absence of any or all of these, though it may put it out of the market, cannot annihilate. The diamond in the mine, gold in the rock, any of the precious metals, so locked up, are subject to very similar laws, and it appears to me absurd to argue, that the one has intrinsic worth, while the other which has inherent powers of producing the most precious of all kinds of wealth—the necessaries of life—has none.

Thus, if two pieces of land, one suitable for growing opium, and the other capable only of producing rice: or two mines, one a gold and the other a copper mine, were situated in the same locality, and at a considerable distance from a market, it is quite intelligible that, the expenditure of capital and labour required to produce the opium and the rice, and to work the gold and the copper mine being, respectively, precisely the same, the opium land and the diamond mine should have a high exchange value, while the rice land and the copper mine would be unsaleable. Yet need not the rice land and the copper mine be valueless. As the electric fluid in the Leyden Jar is imprisoned till approached by the conductor, so would be the natural properties of the rice land and the copper in the mine, until advancing civilization, improved communication, or other circumstances, set them free. In an old country, therefore, the object

of a wise man with valuable property in land, or wealth in mines, should not be to give them away, or to sell them, at a nominal value, to the first person who would undertake to cultivate the one or to work the other, but rather to endeavour, if within his power, to bring them within those influences which would give them a value in exchange, in proportion to their natural value, and then, and—unless to do this was nearly impossible or the prospect indefinitely remote—not till then, to sell them.

It will follow, I opine, then, that if circumstances regulate the *price* of land, its natural properties as well as the capital that may have been laid out on it, determine its *value.*

If an upset price mean anything, in regard to a number of commodities for sale of the same denomination but of different values, it ought to mean, the lowest price the seller can afford to take, or will take, for the least valuable; because, if it be fixed with reference to the most valuable, or the average value of the whole, a large proportion will not sell at all. Now a large proportion of the immense wastes of India is worth no more than the deserts of Arabia Petrea, and the rest ascends in the scale of fertility, like the lands of all other countries by regular degrees. What 5*s* may represent in relation to the whole, I do not know. It has been calculated with reference to the terms of the present leases of 99 years, that in selling these *leases* in the tea districts of Assam and Cachar at that rate, Government

would not be a loser. But the return to labour and capital expended on tea lands, including all expenses of clearances, is several hundred per cent. more than that upon any land under cultivation in India, except perhaps opium lands. If then, all things considered, 5*s* represents the value of this kind of land, it must follow that no other waste land will sell at all—or, allowing the necessary margin for the operation of secondary influences, if other lands will sell at this rate to any great extent, that, in the absence of a very active competition, these lands will be sold much under their value, and, ultimately, very large sums of money be lost to the State.*

These reasons lead me to the conclusion that there are, at present, no proper means of determining the value of any of these lands; and that while the determination to auction them will be wholly inoperative, except in a few districts, to secure the State against ultimate and serious loss in those

* The Secretary of State directed in his despatch that "the several Governors and Lieut.-Governors should be instructed to fix, after communication with the chief Local Authorities, a minimum price suited to the circumstances of the various descriptions of land which they may find to be at their disposal in each district of their Presidency or Province." There is little or no waste land available in the Bombay or Madras Presidencies, and as five shillings has been fixed as the uniform upset price for Bengal and the North West Provinces; and as the terms on which leases were granted in Arracan, the Tenasserim Provinces, Pegu, the Punjab, and most other places were not more favourable than those granted in Bengal, it may be assumed that this price will, indeed must, regulate the whole.

districts where there is a present demand, the fixing of a uniform rate of 5*s* an acre as a minimum limit, will effectually shut out from all possibility of reclamation, such tracts as the Soonderbuns, and the great proportion of the immense wastes of India.

CHAPTER IV.

OF THE RIGHTS OF THE PEOPLE OF INDIA IN THE SOIL: RIGHTS OF OCCUPANCY.

I WILL now venture to discuss the rights of cultivators and others in the soil; but before entering on this portion of the subject, I will notice another difficulty, and by no means a minor one, in the way of the sale of wastes. I allude to the *hucks*, or rights of the natives therein, those *hucks* the scrupulous respect for which Lord Canning declared to be one of the most solemn duties of the Government of India, and which declaration Her Majesty's Government most cordially approved. Now it must be borne in mind that the native idea on the subject of these *hucks* is peculiar and very strong,—amounting even to the assertion of a *right of property*, or, at least, of joint-ownership. These rights constitute occupancy, pre-emption, right of grazing cattle, cutting wood, grass, &c., use of water-courses, and general right to the products of all waste lands, mines, quarries not worked, &c., rights of way, rights to certain municipal offices, family rights, &c. To the general English reader it may appear that little difficulty would beset the path of a Statesman in disposing of rights to which no *title* could be made out; but to all familiar with the early history of Property, and the constitution of society in the Patriarchal form, it will be apparent, that this subject is

one involved in some complication. That the state of society in the greater part of India is of the true archaic type, Mountstuart Elphinstone, in his History of India, has already acquainted the public. A right of occupancy here is not, as Blackstone has supposed, a 'kind of transient property in.' It is *asserted* to be an inalienable right of possession, of which the holder cannot be dispossessed *without* injustice. A competent expounder of the native feeling in regard to what they consider their *hucks* or rights, says:—

'The following is an example of the regard the people have for their rights. In every village there are Mirdhas, who are by profession robbers. Each of these holds 10 to 20 beegahs of land, for which he is expected to prevent others from committing robbery in his village. For the sake of this right to their land, though they are all professional thieves, they sometimes suffer losses; still they make good robberies committed by others, rather than leave their Hucks over the land. They abstain from committing robberies in each other's village. Here is another remarkable instance,—there is one Chiefdom in Bundlekund called Duttia, where there is no regular Police; yet we hear travellers generally experience no sort of inconvenience on the road, for there the village Police system of the sort above alluded to is in force.* This mode is also observed

* This primitive system of police, or black mail as it may be called, is by no means confined to native states. In the neigh-

in many Native States. Joshees, Poorohits, and others, above alluded to, as Astrologers, religious Mendicants, &c., formerly held lands or received payments in cash either from the Native Governments or Zemindars. Though the British Government refused to sanction such grants, yet the Zemindars give them out of their own Hucks. Tirth Boorohits, or the Priests at sacred places, such as Benares, Allahabad, Muttra, &c., also receive grants of lands and cash from Zemindars. These persons even apply their Hucks and lands and other property connected with it to any purpose they like; they give in grants and dowry, and mortgage it; yet the Hucks are entirely voluntary; but the claim of the owner on them is, by common consent, held to be so strong that they are treated like legal property. This may show how the people of Hindoostan value their Hucks. Indeed, in some cases, they, in order to retain their Hucks in their family name, become converts to another religion or even give their lives. These Hucks, therefore, should not be taken away by the Government, or made subject to sale by the

bourhood of Delhi there is a large village inhabited entirely by *Goojurs*, all professional thieves, of whose services the Magistrate makes valuable use. During the three years my Regiment was quartered there, I had one of these gentlemen constantly in my pay. He stuck his spear in the compound or grounds of my house, and no more. He came on the 15th of every month and took his Rs. 4 (eight shillings). For the remainder of the month I never saw him; yet I slept more secure than if I had had a sentry at every corner of my house. I speak of the times before the mutiny of 1857. Whether or not the same system is now in force I cannot say.

process of any Court for personal debts. They should be treated as *entailed property*, of which the life interest only can be alienated. The result from preserving and increasing the existing Hucks will be good. But it will be much better from continuing the system which Lord Canning has commenced of establishing new rights of the above description, by giving Estates, Talooks, &c.'*

In another place the Raja says: 'Institution of a new enquiry into grants. Selling rights *(Hucks)* which the subjects value dearer than their lives, and many other things which will be described hereafter, are contributing to the dissatisfaction of the subjects.'

I have heard it said moreover, by other native gentlemen, not inferior in status, or of less intelligence than the author of these Observations, that the right of occupancy in India, is an exclusive and permanent right, which cannot be alienated or purchased, except with the consent of the holders. The savage races who dwell on hills and in jungles, are the *owners* of those hills and jungles; the tribes who squat on lands are the *owners* of those lands; villagers, who, like the patriarchs of old, graze their flocks on vast pasture lands, who cut grass or firewood in forests, have, if not an ownership in those lands and forests, a prescriptive title to these rights

* Memorandum of Observations on the Administration of India by Raja Dinker Rao of Gualior, Member of the Governor-General's Council for making Laws, p. 8.—Home Office, *Calcutta*, 1862.

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under the law of ancient custom,—a law in India something like an act of Parliament,—of which they cannot be deprived without injustice, and which prohibits the sale of such lands, otherwise than encumbered with these rights. "It is assumed," says the Secretary of State in his despatch, "that half-civilized tribes will be ready to appreciate a community of interests between the European settlers and themselves. I apprehend, on the contrary, that passionately attached as they are known to be to their ancestral lands, they might naturally regard the intrusion of European strangers as an encroachment and a wrong inflicted on themselves." And such in many, if not all, places is undoubtedly the case. In the *Pahalam* Valley of Kangra, a spot some have thought to rival, in the picturesque beauty of its scenery, the vale of Cashmere, there are about 50,000 acres of pasture and other land admirably fitted for tea cultivation; but not one acre will the few scattered village communities permit to come into the hands of Europeans, at ten times its actual value, as estimated by the normal rates of the district. On this point I am well informed, for holding property in the Valley, I was anxious to add to it by securing more land; and the following extract of a letter from my agent will as well illustrate my subject, as the success which attended my attempts.

"I have used all my powers of persuasion, to induce the Zemindars to sell me enough land to

complete the Raipoor estate; but though I have offered as high as fifteen and twenty rupees an acre,* prices before unheard of in the country, all my efforts have proved unavailing. They steadily refuse to sell a single rood. They say, 'Why have you come here? We don't want you. We know you only wish to deprive us of our land, and then make *coolies* of us to work on your estates, but we are determined you shall not have the land.' There is, therefore, a combination amongst them, not to sell any land to Europeans, and no man dares to break it."

These ideas will doubtless give way before the advantages—the solid benefits which invariably flow from the introduction of capital:† but, that they exist and that such claims are now put forth in many parts of India, is indisputable. Indeed there can be no better measure of the importance attached to *hucks* in land by the natives, than the distaste with which they view the encroachment of Europeans.

It is true that the waste lands for sale are supposed to be unincumbered with *hucks*, and at the absolute disposal of Government; but though there

* The Zemindars can sell, it must be recollected, nothing but the proprietary right, subject, after the expiry of the settlement, to any assessment the Government chooses to impose.

† In parts of Assam the price of grain has risen four hundred per cent in *four* years, since the introduction of tea planting, thus placing the Government in a position to double the land tax, and still leave the cultivator more than twice as rich as he was before.

is little definite knowledge on the subject, it would seem that such is not the case, or why the provision for selling these lands subject to any 'rights of property' that may be established in them hereafter? The inference is inevitable, that the proposal is nothing more nor less, than to sell that with which the seller admits he can give but a doubtful title—a title that would not be recognised in any country of Europe—on the security of which, as it stands at present, no English capitalist would advance a shilling; and it is consequently of some little importance to examine carefully into the *rights* of the case, so that what is done may be equitable, and that the State, the natives, and the settlers, may receive, each and every, their *just* dues.

Native Rulers, brought up in the atmosphere of native society, have doubtless been imbued with its ideas. It may be asked, then, have they respected these rights? On the contrary History satisfies us, that if they have silently acquiesced in their subjects appropriating waste lands, they have seldom failed to vindicate the principle of Adverse Possession, by respecting no rights that did not pay, and others *only so long as it suited their convenience.* The British Government, however, has not a like immunity from its own acts, and this fact has long since been discovered by our Indian subjects, and is often, I am afraid, turned to account to advance claims to which neither Ancient Law, nor Ancient Custom have given any sanction. As if, moreover,

the mail of legal enactments and public opinion were not sufficiently binding, instead of depending for a character on the uprightness and integrity of its acts, Government is for ever making pledges and promises, which the very necessities of numerous societies in various and progressive stages of development, render it impossible for it to keep. Successive Governments, consequently, while continually breaking the pledges of their predecessors, are as actively engaged in forging fresh chains for their successors to wear, and in their turn to burst; and it is thus that gradually, but steadily, has been accumulated a solid basis for that idea, now fixed, of the bad faith of the English race.

In the present case we have two races brought into collision as competitors for rights of property and other rights in the soil, the one we may say in the first or lowest, and the other in the last or highest stage of development; and both, as might be expected, imbued with the most opposite views of justice, rights of property, and their own interests. The situation is, in this particular, peculiar, and calls therefore for the most careful consideration, lest, by adopting a process of transmutation too much in accordance with the ideas which regulate the views of the one party, violence be done to the feelings of the other—or by a blind and indiscriminate regard for traditionary rights, the true functions of a Government be abandoned, and the progress of the country be materially retarded.

In all other respects, however, it is not new. The student of the history of Property is aware, that a state of things similar to that existing in India, has afforded matter for thought to the lawgivers of all civilized nations, from the earliest ages of which we have a historic record. The systems of occupant-village-community- family- tribe- and joint-ownership are known to have existed amongst the people of most countries in the earlier stages of their progress, from the days of the Romans,—and more lately in Austrian and Turkish Sclavonia, and in many provinces of the vast Russian Empire—down to our own times. The difficulties which beset the Governments of these countries in administering the affairs of the State, and the people themselves in transacting their own business, in consequence of the fetters with which proprietary rights were trammelled, are now well known to jurists, and the necessity which improving organizations of societies imposed on lawgivers of getting rid of them, has been made patent by successive laws on the subject, from that of the Usucapion of the Romans, to those of Limitation amongst ourselves.

Regarding rights of Occupancy, with which we have now more immediately to do, the latest and probably the highest authority on the subject says:—

'Before pointing out the quarter in which we may hope to glean some information, scanty and uncertain at best, concerning the early history of proprietary right, I venture to state my opinion

that the popular impression in reference to the part played by Occupancy in the first stages of civilization directly reverses the truth. Occupancy is the advised assumption of physical possession; and the notion that an act of this description confers a title to "res nullius," so far from being characteristic of very early societies, is in all probability the growth of a refined jurisprudence and of a settled condition of the laws. It is only when the rights of property have gained a sanction from long practical inviolability, and when the vast majority of the objects of enjoyment have been subjected to private ownership, that mere possession is allowed to invest the first possessor with dominion over commodities in which no prior proprietorship has been asserted. The sentiment in which the doctrine originated is absolutely irreconcileable with that infrequency and uncertainty of proprietary rights which distinguish the beginnings of civilization. Its true basis seems to be, not an instinctive bias towards the institution of Property, but a presumption arising out of the long continuance of that institution, that *every thing ought to have an owner*. When possession is taking of a "res nullius," that is, of an object which is not, or has *never* been, reduced to dominion, the possessor is permitted to become proprietor from a feeling that all valuable things are naturally the subjects of an exclusive enjoyment, and that in the given case there is no one to invest with the right of property

except the Occupant. The Occupant in short, becomes the owner, because all things are presumed to be somebody's property, and because no one can be pointed out as having a better right than he to the proprietorship of this particular thing.'*

If this view of the case be the correct one, and much that we find existing around us, goes a considerable way to prove that it is, popular notions would seem to be an unsafe guide; and I think, therefore, that before any attempt was made to sell, outright, the waste lands in India, it would have been desirable that some definitive—some fixed principles regarding rights, real or traditionary, should have been laid down by competent authority, not only to entitle the possessor to sell, but to prevent those blunders the commission of which has so hampered successive administrations of India, in their anxious endeavours to ameliorate the Government of the country. Fiscal questions, vitally affecting the future welfare of large provinces—questions that have occupied the most serious attention of the profoundest thinkers on these subjects in all ages, are here not unfrequently decided off-hand, on the recommendation of settlement officers, or collectors, by chief Civil Authorities, who if they could find the time fully to consider their bearings, can hardly be expected to possess the qualifications necessary to

* Ancient Law, by H. Sumner Maine, p. 256.

deal satisfactorily with them. A remarkable instance of this may be found in the Kangra Valley, to which I have before alluded, where a few years ago, a British settlement officer quietly made over the proprietary rights of the State in 50,000 acres of land that would now be invaluable, to a few village communities without any stipulation whatever, simply, I believe, because he did not know what to do with them. There were no people to cultivate this land; the village patriarchs could use comparatively but a very small portion of it for grazing their flocks; and now Europeans, who would fill this beautiful valley with industrious people, and enrich it with wealth, are shut out of it, because they are not of the Gens of the villager proprietors, who, sooner than admit aliens within their brotherhood, will spend all the small resources of their community in purchasing, at an enormous premium, any small plot of land that, by accident, may come under the Government hammer. For twenty years to come, these villagers have been endowed with the power of preventing thousands of acres of productive land, to which they never had the shadow of a title, and for which they do not pay, and never have paid a farthing, from being cultivated, and thus of depriving Government of the revenue it might derive from these lands, or, in other words, of the means of making roads, bridges, &c., and otherwise improving the *property* of the State. It is a singular fact, too, that while the acts of Her Majesty's and the Supreme

Governments evince the deepest anxiety to further the introduction of British enterprise and capital into those districts now unpeopled and waste, we find these large landed proprietors exempted, not only from *all* taxation, but from the payment of *any* revenue on account of their immense possessions, while a few British settlers have to purchase or pay revenue for their petty holdings, and an *enormous* premium to these monopolists for a proprietary right to which they never had a title, should they be *fortunate* enough to induce any to suffer them to obtain an acre of land. Surely this state of things indicates some misconception of the true circumstances of the position, or of the motive springs which regulate the action of monopolists, or of societies in an archaic stage of development.

Most certainly it is imperative on a Government in the position of the British Government in India, scrupulously to respect all the just rights of the people in the soil or otherwise; but it is equally its duty carefully to investigate all claims on the State of any class, be they European or Native, and especially if supported by traditionary evidence, which may either retard the improvement of the country, or involve the imposition of unjust burdens on the whole community. And, when the interests of the State and the country may be sacrificed, in the manner above mentioned, it will be apparent that some standard should be adopted, more in accordance with principles based on sound experience,

than the varying opinions of settlement authorities are likely to be, if it be desired that the land tenure of the whole country shall ever be placed on that solid basis, the singularly important relation it bears to the revenues of the State, demands.

And if the present age is at fault in regard to some of the links of such a chain of evidence as would enable us to trace back the history of proprietary rights to their first origin, in India we are not altogether helpless. We have Institutes older than Justinian's, and the advantage of having conquered conquerors with a good code of laws, which, if never fully in force, have furnished the ruling idea, and hence the guiding principles in disputed points, for many centuries.

Hindoo Law, it is true, is not always very clear on any point; but the following extracts will afford some insight into the views of Indian law-givers regarding rights of occupancy and property in the soil:—

Nerasinha purana.—"Thrice seven times exterminating the military tribe, PARASU RAMA gave the Earth to CASYAPA, as a gratuity for the sacrifice of a horse."

On which the Commentator remarks.

"By CONQUEST, the earth became the property of the holy PARASU RAMA; by GIFT, the property of the sage CASYAPA; and, committed by him to *Cshatriyas* for the sake of protection, became their protective property successively held by powerful

conquerors, and—NOT BY SUBJECTS CULTIVATING THE SOIL."

"BUT, annual property is acquired by subjects on payment of annual revenue: and the king cannot lawfully give, sell, or dispose of the land to another for that year. But if the agreement be in this form, 'you shall enjoy it for years;' for as many years as the property is granted, during so many years the king should never give, sell, or dispose of it *to another*. Yet if the subject pay not the revenue, the grant, being conditional, is annulled by the breach of the condition; and *the king* may grant it to another."

YAJNYAWALCYA.—"AND the king shall receive a sixth part of unclaimed property occupied by any other person."

"SINCE the word King here," says the Commentator, "denotes lord of the soil; and since the cultivator, being owner of that land, is *so far* equal to the king; he would be entitled to the sixth part of the unowned property occupied by him. *The answer is*, the word king may be explained lord of the soil to exclude another king: but a royal property is supposed in the use of the word; the cultivator has a subordinate usufructuary property, not a royal property: and SRI CRISHNA TERCALANCARA thinks there may be, in the same land, property of various kinds, vesting in the king, the subject, and so forth. It should not be objected, if that be the case, why cannot the king give the land to another,

in the same year *for which revenue is paid?* Because a seller or giver may, by sale or gift, annul his own property, and invest another with similar property, but cannot create property of another nature (for a sale by a subject cannot create property of another nature, namely royal property;) therefore, usufructuary property being raised by a conditional gift to the subject, the king cannot again create property *in the same thing*, by a gift to another."

"But whence is it deduced, that such property vests in the cultivator? There is no proof of it. His property is not by occupancy; for the king being a more powerful owner, his occupancy cannot be maintained: it is not by sale; for no sale has been made: it is not by gift from the king on condition of revenue; for, were it so, his property cannot be annulled without the assent of the owner."

"SOME hold, that the subject is invested with ownership by a gift from the king on condition of revenue. If he go elsewhere and revenue be not paid, the gift is cancelled by the breach of the condition. It should not be objected, that his interest in the land would be equal to the king's; for the king's assent is not *given* in such a form. Thus, the king assenting in these words, 'let a subordinate usufructuary property be held by thee, while my property remains in this land, which belongs to me;' such property is created, as is described by

the terms of his assent. Nor should it be objected that in this case property is not created, nor is effect given to an existent property, but mere possession as of a thing pawned. This would be inconsistent with the explanation of husbandman, as given by CHANDESWARA and others; that is, 'owner of the field.'"

"A specific agreement should be made, when the land is delivered, that it shall be enjoyed year by year, until a greater revenue be offered by another person."

"OTHERS hold, that the king has no property in the soil, nor power to dispose of the subject's abode, because all have a right in the soil; since the earth was created for the support of living animals, as expressed in the *Sri Bhagavata*: '*The Earth*, which GOD created for the abode of living creatures;' and because MANU has *only* declared, that the subjects shall be protected by the king."

"BUT, in fact, without property in the soil, there can be no certain rule for the protection of the subjects."

"And if it be argued, that the positive necessity of supposing a proprietary right, and the consequent obligation on the king to protect the inhabitants of that country, of which he is proprietor, should not be affirmed, because such property is not deduced from positive precept; *we answer*, the exclusion of every other authority is naturally implied; and it is positively required, that there be 'a right of pro-

perty co-ordinate with the non-existence of a determination not to exclude other authority.'

"IF a potent subject be able, independent of the king, to resist invaders, and even to seize the lands of others; shall his property be deemed independent of the king? No; for that subject ought to be punished by the king, if he transgress the law: but, if the sovereign be not able to inflict punishment on him, even he is king."

The subject's property in the soil is weaker than the king's, for the subject is weaker than the king: but it is founded on the reason of the law, and on settled usage: therefore the land of one subject ought not to be sold by the king to another.

"THE meaning of the text, which describes the earth as the abode of living creatures, is positively this; the property is his, who uses the land, where he resides, and while he uses it: and thus, when land belonging to any person is sold by the king, it is a sale without ownership."*

But, turning from Hindoo Law, let us examine the Laws of our predecessors, which superseded Hindoo Law, wherever the authority of the Emperor extended.

NOQAYAH.—"Waste Land," says the Canon, "is land, unproductive in consequence of want of irriga-

* Digest of Hindoo Law, with the commentary of Jagannatha Tercapanchannana.—*Colebroke.* The great importance of this portion of the subject must be my excuse for the length of these extracts.

tion, and the like, for which no owner is known, and situated at such a distance from all populated places, that the sound of the voice of man cannot reach its borders. Whoso cultivateth such land, is the owner thereof, *provided he hath done so with the permission of the Soltan.** Should he have made a fence round it, he may hold it for three years. At the expiration of that time, should he not have brought it into cultivation, the Soltan may take it away from him, and give it to another. Whoso shall have dug a well in waste land, *with permission* as aforesaid, for him is a circuit of forty cubits on all sides; and whoso shall have opened a spring, for him are similarly five hundred cubits. It shall be lawful for the owner to prohibit any other person from doing the like within this circuit; and if any person shall dig a well or open a spring on the border of the circuit of him who shall have first dug a well or opened a spring, for him is an enclosure, only on three sides thereof, &c."

Qodoori *(apud the Hidayah)*.—"And the Settler, though of another religion, acquires property, in the land he shall have cultivated, equally with the *Moslim;* because it is by the *cultivation* of waste land that property is acquired therein—always assuming the permission of the Soltan, which in the

* In the original the words I have rendered 'owner thereof' are *malaka-ho*, on which the Commentator says, *i. e.* he shall acquire property in the land he shall have cultivated—no more. The word also I have translated *Soltan*, is *Imam*, which means, a Leader, or the highest legally constituted authority.

case of a Settler as aforesaid, is, in the opinion of all the Doctors, essential."

"Some Lawgivers hold," says the Commentator, "that in the case of a *Moslim*, the permission of the Soltan is not essential to the acquirement of property: but Aboo Haneefah is of a contrary opinion, and his opinion has been given the preference by Qazee Khan, and is approved."

And in the *Fatawa-i Alamgeeri* * it is thus written.

"The *Soltan* hath power to bestow waste land.† And if he shall have made a grant of such land to any one, he shall let him alone for three years; when, should the grantee not have cultivated it, it returns to him (the *Soltan*) and he may give it to another, for property in waste land is acquired only by *cultivation*."

The English Rules of Proceedure, the only Law at present on the subject, differ more or less, in every Province in India. The demand, however,

* This is a collection of legal opinions and precepts in six large quarto vols. prepared by order of the Emperor Alamgeer. In India, and indeed also in Egypt, Arabia, and Turkey, an indisputable authority.

† But he has no power to give away cultivated land, which is the property of the cultivator, or the person in whose possession it was when the country was conquered, or originally settled. The King can dispose only of his own right in the soil, and that right consists solely in *ushur* (a tenth) with *moslims*, and *Khiráj* (revenue that may be fixed), with others. And this he cannot remit, except in favour of the *ahl-i másáraf* (the Ulema, the devotees, the poor, maimed, halt, blind, &c.) All grants of rent-free land made except in accordance with this rule, are illegal.—January, 1867.

for Wastes being, for the most part, confined to one Presidency, the following will serve as a type of the whole.

BENGAL.—"If before the day of sale a claim of proprietary, or occupative, right in any part of the land be preferred, the Collector shall investigate the claim, and, if satisfied that it is groundless, shall reject it and proceed with the sale."

"If on investigation any such claim should appear to be well grounded, the Collector may either reject the application for purchase of the lands or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner.

"The Commissioner may direct the Collector either to reject the application, or to proceed with the sale of the land, either unreservedly on the conditions prescribed in Rule 9, or, if any claim to right of proprietorship, occupancy, or use in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected, the amount deposited as cost of Survey will be forfeited."

NORTH WESTERN PROVINCES.—"Where it is evident that there exist rights of property, or of exclusive occupancy, either active or latent, the applicant will be informed that the case cannot be taken up under the Grant Rules, excepting in favour of

the party originally possessed of those rights, or who has purchased them from such party." "It will be an important part of the Collector's duty to make certain that any transfer of such rights shall have been made with a complete and fair understanding on the part of all concerned."

"In case of there being any doubt as to whether existing rights are of the exclusive character necessary to bar alienation, the Collector will report the case through the Commissioner to the Sudder Board of Revenue. If the rights claimed, though not exclusive, should appear to the Sudder Board of Revenue to be such rights of pasturage, wood cutting, &c. as commonly obtain in the Hill Districts, and are entitled, as 'existing rights in a rude form,' to protection under paragraph 6 of the Resolution of the Governor General in Council, No. 3264, dated the 17th of October 1861, the Board will instruct the Collector to endeavour to bring the applicant for the Grant, and the parties who possess a right to use the spontaneous products of the soil within the tract applied for, to a mutual agreement as to the terms upon which (if any) any hereditary and transferable property in the soil may be given to the former, subject to the exercise of their customary right by the latter. If an amicable arrangement be come to, the Collector will report the particulars for the information and sanction of the Sudder Board of Revenue. Otherwise the Collector will proceed to estimate the value of the prescriptive

rights, as above, on a liberal basis, and will submit the case, through the Sudder Board of Revenue, to the Government in view to the payment of full compensation."

All written laws must necessarily have been framed after Societies had advanced some stages beyond the most primitive state. It is futile then, to hope, by the examination of codes of laws, to ascertain how property in the soil was first, or is naturally acquired. Nor would it be of any practical use to do so. The first laws of peoples, are valuable, however, as giving us the nearest possible view of an interesting subject, and the concurrent testimony of the lawgivers of many nations in an early stage of civilization in favour of certain fundamental principles, especially if consonant with our own sense of right, is useful as an index to guide us when legislating for a people less advanced than ourselves, in preserving to them those privileges, to which they may be justly considered to have a prescriptive right.

Now Hindoo and Mohammadan Law differ in at least one important particular as regards land tenure generally. According to Hindoo Law, though the subject may obtain a subordinate or usufructuary property by cultivation, the royal or superior right of property in the soil, vests in the Sovereign. Nor can he divest himself of it, except by sale or gift. By the Mohammadan Law, on the contrary, should a King on subduing a country by

force of arms, have recognized and confirmed the rights of the people, or concluded a treaty of peace and made a settlement with them, the proprietary right in the soil vests in the people, subject always to the claim of the State for *khiraj* or revenue.*

But from the extracts and observations cited above, it will be seen that as regards the reclamation of wastes, according to neither Hindoo nor Mohammadan Law, can mere occupancy confer any right of property whatever.

Indeed the prominent features of *both* the Hindoo and Mohammadan systems are, that they clearly lay down the principle, that to create property in waste land, it is essential that such land be occupied with the consent of the Sovereign; that it be cultivated; and that revenue be paid for it. Failing the first of these conditions absolutely, or the latter two within the limits defined, the Sovereign can take the land away and give it to another.

The prominent feature of the English system, I am afraid, is, that it does not clearly define any principles. The collector is informed that where there exist 'rights of property or of exclusive occupancy either active or latent,' or other exclusive rights, the land cannot be sold; but what constitutes a right of property, or what a right of occupancy, the public and the collector — the latter

* The Mohammadan Law has been the law of the land, if it can be said that there ever was a law of the land in India, for the last three or four hundred years.—January, 1867.

probably a young military officer, but a few years emancipated from regimental duty,—are left in unhappy ignorance. No limit defines the extent of land over which a right of occupancy may exist. No bounds limit the period within which a proprietary right can keep land out of cultivation,—within which the power of the occupant or proprietor, to debar the State from obtaining its just dues, is restrained. Yet, without a knowledge of what constitutes a valid right, how shall a developer select his land—how shall a collector satisfactorily decide disputes?—without a revenue, how shall the Government discharge those functions which, converted by its own act from *expedient* into *obligatory*, such developers as do settle, will have a right to compel it to observe? I cannot clearly see how these difficulties can be got over, and therefore, I think, that until these points shall be first decided the attempt to sell these lands is premature.

For though the testimony of the present circumstances of India is confirmatory, in a high degree, of Mr. Maine's opinion, that the notion that occupancy confers a title to "res nullius," is not characteristic of societies in an early state of civilization; and the *Law* is clearly against the existence of any permanent and inalienable rights in land, *as long as it is uncultivated and waste*, all the difficulties which have hitherto been supposed to surround this subject are not, unfortunately, removed. The area of this peninsula—an area so immense as

almost to preclude the possibility of people, accustomed to frame their ideas on the scale of an island comparatively so diminutive as Great Britain, forming any very accurate opinion on the subject—has hitherto placed it beyond the power of any of the Sovereign Rulers who have governed India, to bring it under the control of one system of laws. The variety of races, moreover, which inhabit India, differing many degrees in civilization, would render the adoption of any one system, in its integrity, at present inexpedient. Ruling Sovereigns, again, prior to the succession of Her Britannic Majesty, have never even fully established their authority within one half of the extent of territory over which they nominally have held sway, and though British rule, has for a considerable time been tolerably firm over the greater portion of Hindostan proper, it is only within the last few years, *i. e.* since the year 1858, it can be said that the work of consolidating the Empire has commenced. Up to this day then, no Government of India has been in a position to assert those rights which legally belonged to the Crown, and hence it has been, that in different forms, and under varying conditions, many have been *appropriated* by the subject. These rights have been allowed to exist, to use the expression of Earl Canning, in a 'rude form,' because the Government itself has existed in only in a rude form; and the *real* question is, how shall the Government, now that it finds itself in a

position to assert its authority over the whole of its Empire, deal with rights, which, though its undoubted property, it has, from its own weakness or inattention, silently permitted others to possess themselves of? The rights of property in the soil viewed from European and Native stand-points are so different, and foreign conquerors, changes in dynasties and laws, local circumstances, &c., have created so many and so great a confusion of tenant rights throughout the country, that questions liable to arise out of such a *situation* involve some nicety. They ought not, therefore, to be left to be decided by young collectors, or individuals, buyers or sellers, Native or European. My endeavour has been to disencumber the position of some of the difficulties with which it was supposed to be surrounded. But to frame a rule, or at least to lay down such broad principles as commissioners and collectors can apply to the circumstances of the localities in which they may be placed, without risking a sacrifice of the interests of the State, the Country, or the People, is clearly the business of the Crown, whose property these rights are, and not the business of either occupiers or intending settlers,—and until the Crown has done so, it cannot be said that it is in a position to sell. "Kings," says the Hindoo Lawgiver before quoted, "were created by GOD to decide the various contests between subjects concerning occupancy and the like, and to maintain just proceedings; therefore the king, as lord of his subjects, is called lord of men

(*nerapati.*) By his own power, the king prevents others from seizing the land over which he has dominion; by his own power, he legally seizes the land over which others reign; therefore he is not subordinate to the subject." And this would seem to be the common sense view of the case.

But the point, as regards disposing outright of waste lands, in India, requiring the gravest attention, is the introduction into the Country, generally, of a novel principle,—a principle altogether foreign to the fiscal laws of the land, and the traditions and ideas of the people; and it was partly for the better elucidation of this portion of the subject that I have extracted so largely from Law books

In regard to the origin of property in the soil most Nations seem, as if instinctively, to start from the same point—to recognize one great principle, *viz.*, that the Earth is God's.* In Hindoo Law, the King holds under a deed of gift, originally granted by the sixth incarnation of the Deity, who wrested the Earth from the dominion of tyrant warriors; and in selling land the King sells his sovereignty, for the obligation to protect, except in the case of Brahmanas, *i. e.* the Church, implies the payment of revenue, and a promise of one King cannot bind his successor. In practice, moreover, the idea of a King disposing of his property or estate,

* For in truth, there is no other Lord of the Earth but one, THE SUPREME GOD.—*Jagannatha*, on a text of MANU.

The Earth is the Lord's. He gives it unto whom he pleaseth. —QORAN.

while able to protect it, is unknown. Hindoo Sovereigns, if revenue is not paid, imprison and otherwise punish their subjects,—seize their lands, cultivate them themselves, give them away, or make such other arrangements as will insure their receiving their just share of the earth's produce; but I have not heard that Hindoo Rulers have ever adopted the system of selling land.

According to Mohammadan Law, in countries that have been settled, the proprietary right does not vest in the Soltân. Nor can he sell lands that escheat to the Crown by proprietors absconding, unless no one can be found to cultivate them on behalf of the proprietor; nor remit the revenue justly due, unless in favour of certain exempted persons, or unless he compensates the *Bait ol-Mal, i.e.* the public treasury, either from the amount received from the land, or from his privy purse, by a sum equal to the *khiraj* or revenue accruing thereon. Private individuals cannot sell lands at all, otherwise than chargeable with the revenue due to the State. In practice, it is true, Sovereigns have availed themselves largely, and often wholly regardless of the laws by which the *Bait ol-Mal* is constituted, of their supreme power to bestow lands, free of revenue, as rewards to faithful servants. Much again of the land so bestowed on individuals has been bequeathed to the Church, and to be devoted to the 'service of God;' and out of this illegal exercise of a despotic power, has arisen,—a beacon as it were

to warn posterity off this fatal rock,—the gradual and increasing poverty and weakness of Mohammadan dynasties when not strengthened by fresh conquests. The comparatively small revenues of the Ottoman Empire,—indeed of most existing Oriental States, is mainly due to this cause, and the Inaam Commissions in India, furnish convincing evidence of the mischief and injustice that Governments may inflict on posterity, by a thoughtless alienation of the revenues of the State.

In the East generally, and in India particularly, it has been the rule that the crown has been fought for, and usurpers, it is known, have but very small respect for the responsibilities undertaken by their predecessors. When Kings wanted money, as in former times in Europe, they seized, imprisoned, and tortured rich subjects until their wants were supplied; or later, if under the surveillance or protection of the British, they borrowed, on the security of their jewels or other valuable property, from some wealthy banker. The idea of a State loan, as understood in Europe, in India is wholly unknown. *Jageers* conferred by Sovereigns on their nobles and servants, as a rule, have been held on the condition of maintaining troops, &c.—or were the reward of personal services, and were conferred, and received, with a full understanding that the security for their permanence was the life of the donor, the pleasure of his successor, or the power of the possessor to hold them against all comers. Possession, it is

true, is nine points of the law in most parts of the world. Here, *to the strong*, it has always been something more. Such a *title*, therefore, might be good as regards possession; but that it could create an absolute property in the soil — that it could confer immunity from revenue for all time to come, is an idea that could not, under such circumstances, enter into the day dreams of a single individual living under such a form of Government; and, consequently, it never did.

CHAPTER V.

OF THE RIGHTS OF THE STATE, OR THE COMMUNITY IN THE SOIL, AND THEIR SALE OR COMMUTATION.

ENGLISHMEN brought up — born, I may say, with the idea that land, like all other things, *ought* to be private property, and blinded by that characteristic prejudice which ever prevents them from seeing good in the institutions of any country but their own, have endeavoured, by experimental measures, to introduce the practice here.* But these measures have proved wholly abortive; and it is fortunate, for the subject has never yet been considered carefully, practically, and on its true merits, by persons thoroughly competent to deal well and wisely with it. It would certainly be a dangerous, if not a rash policy, to introduce measures involving changes in principles that may affect vitally the stability of the State Revenue, before those principles have been discussed and examined in relation thereto, from every point of view. Nor do I allude, now, to the great measure proposed for adoption by Lord

* For some years the land revenue has been redeemable in the collectorate of Calcutta, Chittagong, and other places, at fifteen and ten years' purchase, and generally estates could be freed from risk of sale, by deposit of Government securities; but of neither of these offers has any advantage been taken.

Canning; but rather to other measures, involving similar principles, adopted, apparently, with little thought or consideration, on the suggestion of local authorities. The measure of that great and good Viceroy, whose name will never be mentioned by any who had the happiness to serve under his Government but with admiration and respect, was one of a different sort. If there was one statesman in India, distinguished among those of his countrymen who have held the high office of Governor-General, for the cautious, calm, and attentive deliberation with which he considered all questions affecting important interests of the people and the country over which he was set to rule, that statesman was Earl Canning. There can be but little doubt, then, that had that lamented nobleman been spared to India and his country, posterity would not have wanted an explanation of his policy, worthy of his contemplative mind. It was, however, not so ordered, and while his Lordship's policy in regard to the redemption of the land revenue has been unsparingly commented on, we are left in ignorance of the motives which actuated him in recommending a measure pregnant with consequences of such enormous import to the well-being of the country.

For my own part, on many grounds, and especially looking to the present circumstances of India, I venture to lean to the opinion of the economists of Mr. John Stuart Mill's school, and think it fortunate for India that she is able to obtain so large a portion

of her permanent revenue from the land. The more modern English idea on the subject, however, would seem to be, that the natural tendency of societies is to reduce all things to a state of private property, and, that the measure of the social condition or state of civilization of peoples, is the mean between these two extremes—the community, and the individual state of property. This theory has not yet been put forth as a law. I am perhaps the first that has so stated it. But the arguments advanced by most writers of the day who advocate the redemption of the land revenue, seem, for the most part, to be based on some such conclusion. I would not wish either to defend or to dispute the position. On the contrary, admitting it to be true, as it will not be denied that the advance of all societies in civilization is by steps, progressive and slow, it will follow that many years,—many centuries, I might say, must elapse before a society in a primitive or archaic state can reach that highest point in the scale, at which, for the perfection of the theory, all things should be the property of individuals. Now it is an indisputable fact, that throughout India, community of property is not only the rule; but it is that one institution so deeply rooted in the minds of the people, so ingrained in their nature it would almost seem, which neither force of laws nor force of arms have been able to destroy. "Dynasty after dynasty," to use the words of Lord Metcalfe, "tumbles down; revolution succeeds to revolution;

Hindoo, Pathan, Moghul, Mahratta, Sikh, English, are all masters in turn; but the village community remains the same;" and though there are many Provinces of India, in which individual property in the soil is held under the Crown, the increase of families always tends to maintain the ancient and normal state of societies, constituting communities within communities, as contemplated in their ancient Laws.

It will be objected, I fear, that I lay much too great stress on ancient laws, many of which are contradictory, and most of which under British rule are held to be obsolete. But, if many are contradictory, it is because they were framed for societies in different stages of progress, for which we have not the key. At the same time, a careful study of the customs and habits of the people of those parts of India in which I have lived, has satisfied me that viewed by the light of more modern native writers, these ancient laws afford still a more accurate picture of the *existing* state of native society in the interior, than any yet sketched by European pen or pencil. And, if this be true, and I do not think it will be disputed by those who are competent to form any sound opinion on the subject, we could not have a stronger proof of the very slow degrees by which the progressive development of societies, when left to themselves, is worked out. Even in Calcutta, the metropolis of British India, where Newton and Bacon, Shakespeare and Milton, have been as fa-

miliar as 'household words,' for upwards of a quarter of a century, whole families consisting of grandfathers, grandmothers, fathers, mothers, brothers, sisters, brothers' wives, daughters, uncles, aunts, &c., share the paternal estate, under one roof, living in the constant turmoil, toil and trouble, of female broils and disputes, and native gentlemen, brought up in English schools and colleges, are unable to shake themselves free of this community of interests and property inherited with their birthright,—*because it is the custom of their country.*

If then, the theory that individuality of property is the condition of society in its highest or most artificial state, admitting progressive development, it will be self-evident that to attempt to introduce or to carry out the principle in India *now*, would be absurd; and if the application of this idea, seems absurd from this, the abstract principle or lowest point of view, how much more so will it appear, when viewed practically? It is not my intention to go over here, all the arguments for and against the alienation of the revenue of State derived from land, by its commutation for an immediate payment. These will be found far more ably discussed in books on political economy, and in the state papers, already before the public, on the subject.* There are one or two points, however, which, as I have already

* Vide particularly the very able minute of Mr. Ross D. Mangles, of the Indian Council, and the opinion of Sir John Lawrence.—*Parliamentary Papers*, 21st July, 1862.

travelled far beyond the limits proposed in this review, I may as well notice; for, as I confess that I am unable to see any *necessity* for the measure, or that any *advantage* could be gained by its introduction into India, I am bound, in a measure, to show cause for entertaining this view.

Now, much is almost daily written about the *principles* of taxation. But, independent of that one grand fundamental principle, that *all*, in consideration of the protection they receive, should contribute to the necessities of the State in proportion to their means,—a principle, as based on common sense, the soundness of which all people will be inclined to admit,—the rest is little else than *application*. And, as this, most especially in countries governed by alien dynasties, must be carried out in accordance with the wishes of the governed, rather than the governing body; what remains for the latter, is to exercise such wisdom, judgment, and ingenuity, as will direct them to collect the amount required, not in accordance with any ideal principles, but in such a manner as being most acceptable to the latter, will cause the burden to press least heavily on those who have to bear it. In England, my Lord Languish and Mr. Tom Smith whitewash their servants' heads, and pay annually a certain sum of money to the State on this account. Both do this most willingly,—the former, because the custom has long been in use among people of his caste; and the latter, because he wishes to be thought a

member of the fashionable world. All persons of respectable position put a device on their silver spoons,—a cat, a bird, a dog, a monkey, &c., or on the panels of their carriages, and readily pay for the privilege. Nay persons called Kings, are maintained by the Sovereign expressly to invent these devices, &c., for the gratification of their subjects. Viewed from a philosophical point, these taxes, and all such as are directed against pride or vanity, and not against wealth or luxury, are supremely ridiculous; but as long as the people are happy in bearing them, no harm is done. To apply similar taxes, however, to a people living in an entirely different state of society, with different ideas, and diametrically opposite views on the subject of taxation—to a people, in short, who will not *willingly* bear them, would not only be unwise, but tyrannical. In India the land revenue is not a *tax*, and never has been a *tax* in the sense in which that term is understood in Europe. Nor yet is it *rent*. Fusing the elements of the different systems we have to deal with in India, without violating the fundamental principles of any, the question may be fairly thus simply resolved. "The earth, the source of all wealth, is the Lord's. It's produce is his creatures. Kings are God's Vicegerents on earth. As such, they have certain duties and responsibilities to perform towards the rest of creation. In consideration thereof, they are legally entitled to a portion of the *produce* of the soil—a tenth, a sixth, a fourth, as

the laws of the land, or the necessities of circumstances, may determine."*

Virtually then, whatever may be the law—whatever the popular belief, there is no perfect property in the soil, either of the king, or of the cultivator, the right of both to their fair and equitable share of the produce being equally strong, legal, and valid. Or if it be desired to define the position more clearly, it can only resolve itself into this,—that the property vests in the Community, the King is the agent, and the Cultivator, the tenant or labourer, as the case may be, which simply brings us back to the point from which we started,—that community of property is the rule in societies living in a primitive state of civilization. To speak of heavy burthens on the land in India is clearly an error. As long, therefore, as present ideas on the subject remain undisturbed, the land revenue in India, can never be

* MANU says :—"A Military King, who takes even a fourth part *of the crops of his realm*, at a time of urgent necessity, *as of war or invasion*, and protects his people to the utmost of his power, commits no sin."

On which the Commentator observes :—"From the circumstances of the times, if confidence cannot be placed in the subject, the value of a sixth part, or other proportion *of the crop*, any how ascertained, may be taken, whether the actual produce be more or less than was estimated: this method is authorised by settled usage, and is indicated *by the text*."

On this law is based the revenue levied, in our own times, by the Marhattas, so well known under the title of *Choat*, *i.e.* the fourth,—thus establishing satisfactorily, that, up to the latest date, the *principle* observed in India, has been diametrically the opposite of that adopted in England, the shares in the produce of the soil of the King and the Cultivator in the one case, *fluctuating* with the seasons, and according to circumstances,—and in the other, being fixed and immutable.

considered a *tax;* and if retained at an equitable rate, being simply the rendering unto Cæsar of the things that are Cæsar's, will always be willingly paid. Dissatisfaction can only be the result of oppression—another term for bad government. Dissatisfaction, moreover, never has arisen on this score. Complaints, loud and bitter, may have been raised against many of the evils of the English system of Government,—the interference with religion, caste-prejudices, established rights, social customs, dress, food; and above all against the evils of systems of police, civil and criminal courts of justice, and *the imposition of direct and novel taxes;* but even in 1857, when the storm of rebellion was at its height, when the discontent, pent up for years, was set free to vent its force in one terrible outburst of rage, no murmur, no sign, indicated the slightest impatience on the part of the people on the score of the land revenue. Instead then, of there being any *necessity* for drying up, for ever, this fertile, simple, and ever-increasing source of revenue, by exhausting its waters at a drain, I cannot but think, that any action likely to disturb existing ideas on the subject, or tending to the substitution of a *taxation* peculiarly abhorrent to the people of India, for payments most willingly made, would not only be erroneous in principle, but fiscally mischievous, if not politically dangerous in its results.

As to the *advantages* which it is said would be gained by the redemption of the land revenue, they

are, I believe, of a two-fold nature—*political* and *material*. In regard to the first it is believed that in selling the land, the British Government would purchase the *loyalty* of its subjects, and consequent immunity from sedition, rebellion, and disaffection. But the loyalty of a whole people cannot be purchased with gold, nor yet I fear with land—its price. The experience of history from the earliest ages down to our own times teaches us this. The holders of *maafee*, or rent-free tenures, are in the position of persons who have redeemed the land revenue. They were not one whit more loyal than the others in 1857. The people of Bengal now, are not more loyal than the people of the North West, but on the contrary, if they had the power, would *certainly* be the *very first* to drive us out of the country. It has been the invariable custom moreover, in the many struggles for dominion which have deluged India with blood, for the various Rajas and great *Jageerdars* or land-holders, to make terms with that one of the contending parties which appeared to be the strongest; and it would be unreasonable to suppose that any intelligent foreign power who might dispute the sovereignty of this realm with us, instead of endeavouring to strengthen its arms, by holding out promises of still greater advantages than those which the people enjoy under British rule, if so unjust, would be so intensely stupid as to inaugurate its advance, by confiscating the people's rights in the soil. On the other hand, it must be remem-

bered, that, though all Englishmen may be fully satisfied, that if the British Government in India is to be overturned, it must be overturned by a European, and not by a Native power, a generation, *at least*, must pass away, before *any* confidence in the stability of our rule will be established in the minds of the natives. This fact, of itself, is quite sufficient to indicate the measure of the success likely to attend any present attempt at a redemption of the land revenue, and, at the same time to show,—what it appears strange it should be necessary to reiterate so soon after 1857—that though our Government must, of necessity, be sustained in peace and order by the good will of the people, it is maintained only, as all Governments similarly circumstanced *can* be maintained—by the strong arm of power. Looking to the character of the people, and estimating the future by our knowledge of the past, I am of opinion that things will go hard indeed with the English in India, when the land revenue, if equitably assessed, be it free, perpetually, decennially, or annually settled, will have the weight of a grain of sand, in turning the scale of their fortunes. Indeed there is little need to argue this point. It is fully established. The natives have been invited in parts of India to purchase the fee simple of their holdings, but they will *not* speculate on the security of British rule in India, on any terms that are likely to be offered by Her Majesty's or any other English Government, and this sets the question, in its political bearing, at rest.

With regard to the advantages in material progress likely to result from the redemption of the land revenue, their value to the State in a financial point of view, is real, only, in so far as they represent ability to bear increased taxation. For instance, if a Government owed £100,000, and were to sell land producing a revenue equal to the interest it had annually to pay, for that sum, with a promise that no tax should be substituted for this revenue, it would be simply the extinction of an annuity by the payment of its value, the gain to either party being *nil.* Now taxation in any shape, it will be admitted, is, or is considered to be, a burthen; but, if taxation be equal, or equitable in its incidence, and if the transaction be a bargain, in which both, or all parties, understanding clearly the advantages and responsibilities likely to accrue to them therefrom, willingly acquiesce, many of the objections often raised thereto are avoided. In England, these matters are settled by the people themselves through their deputies in parliament assembled, and as these deputies represent all classes and all interests, the decision is usually both just and equitable, and agreeable to the people. In a country circumstanced like India, however, there are two parties to a transaction of this kind—the Community and the Landholders; and the part the King has to perform, is clearly to mediate between these two interests. Now it has been before shown that the land revenue in India is simply the return of that portion of the

produce of the soil to the King, as the trustee for the Community, which is his rightful property, and not a *tax;* and it is essential to the right understanding of this question that this point be kept prominently in view. For, if it be set aside, and the question be argued as if the land was the property of individuals, or in other words, from an English point of view, the error of the premises will inevitably appear in the conclusion, and vitiate the result. To make any such attempt, moreover, would be at once to overturn the main principle on which the fiscal system of India has from time immemorial been based—and to cut from under the Government of India, as it were, the solid ground on which it has always justified its right to derive so large a portion of its revenue from the land. Strong in the sense that it was dealing with the *property* of the State, and not taxing the property of individuals—the Government of India, as the necessities of the Community in regard to protection and good Government increased, has always had the power, within fair limits, to increase, concurrently, its demand on the produce of the soil; and if, in a country where it is of paramount importance that the Government should be based on the support of a contented people, the destruction of this ancient principle, and the substitution for it of a grinding system of *taxation,* can be considered an *advantage,* it is certainly an advantage, the results of which will not be unaccompanied with some evil.

It is in reality, then, *rights in property* with which we have to deal, and not the distribution of taxation, which has not, or, from an equity point of view, ought not to have anything whatever to do with the question.

Now, admitting the King's power to dispose of the rights of the Community in the soil, it is evident that before they are sold or commuted, some means must be ascertained for properly estimating their value. But, as these rights are in the produce, and the produce, especially in India, is not a fixed quantity, but very fluctuating, and as its money value varies considerably, and as population *and the metallic currency* increases, and the means of intercommunication improve, will vary very much more,* —this cannot now be done with anything approaching that accuracy which it is absolutely necessary for an administrator or trustee to observe, when dealing with the *property* of others. It is only then when the resources of a country have been developed to the fullest, and when population has reached that point where emigration should step in to relieve the strain, that such a balance can be struck as will enable the King to ascertain, with certainty, the true value of the property he would dispose of. But the advantages to be derived from the sale of the land are this very development of the resources of

* In parts of Assam the money value of rice within the last four years, which were not seasons of scarcity, but seasons of plenty, has increased three hundred per cent!—but no increase has been made in the rent or land revenue.

the country—that increase of population which invariably follows an increase of wealth—in short the material progress of the country—and it is to insure the speedy accomplishment of this end, that it is proposed, not to compound for the estimated increase in the value of the property to be disposed of, but to sell it at the present rates, bestowing the future surplus on the purchasers, in consideration of the improvements it is assumed they will make on their own estates. It is conceded that great prospective gain must accrue to one of the parties concerned—the Land-holders. It is conceded, also, that equal prospective loss must result to the other—the remaining, or the poorer portion, of the Community. And it might be inquired, by what principle of constitutional Government the King could justify or sanction an arrangement which involved a sacrifice of the *property* of one class of the subjects of the State—that class the interest of which in this instance it should be his special province to guard—in favour of another? But there is little need to pursue the inquiry in this direction. If the *loss* to the Community of a considerable portion of their *legal* share of the produce of the soil were all they had to complain of in such an arrangement, the case of the advocates for the present redemption of the land revenue of India would not be irretrievable. Compensation, in other ways, might be made. When, however, it appears that instead of the poorer portion of the Community being compensated

for the loss resulting from the bestowal of *their* property, by their own Guardian, on their more wealthy and powerful fellow-subjects, that Guardian makes a free gift of it, with the avowed intention of compelling these unfortunate people to make good the deficiency of their own estate, the case assumes a very different aspect. It is no longer a question of policy. It is one rather for the opinion of the Law Officers of the Crown.

Scrupulous respect for rights of the people in the soil, it has been said, and, most firmly do I believe, most conscientiously said, is one of the most solemn duties of a Government, and the sentiment has been cordially concurred in by Her Majesty's Government, and as heartily echoed, I am certain, by every honourable Anglo-Indian. Indeed, there can be no doubt whatever, that however opinions may differ, all persons officially concerned in this measure could have been actuated by but one sentiment in their treatment of this momentous question,—an anxious desire to benefit the country and the people God's providence has entrusted to our care. I doubt, therefore, if many, and especially those brought up in a country where the land has long been the property of individuals, have fully apprehended this view of the question—a view, which, in my humble opinion, is not only fully applicable to the circumstances of India, but in strict accord with the ideas of the people. The people of India, from times anterior to History, have been led to consider the

Earth the source of all wealth, and the main and legitimate source also from which the revenues of the State should be derived;* their Sovereigns, whether Hindoo, Mosalman, Marhatta, or *English*, have ever recognized the correctness of this principle; and whether it be wise or unwise, sound in principle or the reverse, that the land of a country should be the property of individuals, surely it is too much to expect that in the short space of a decade —for it is hardly more since the Indian Government has attempted the introduction of European principles of Government, and considerably less since any efficient effort at the spread of education has been made—an ancient people forgetting those ideas which governed the actions of their rulers for centuries—perhaps for thousands of years, should patiently submit their neck to a yoke, necessitated by the deliberate alienation of their own property, by their Sovereign whose bounden duty it is to protect it.

India is undoubtedly a rich country; her resources indeed seem almost inexhaustible; and, assuming peace and good Government, that she will be yet both wealthy and prosperous, there is little room to doubt. But, if there is little room to doubt this, there is still less room to doubt that she will not assume that position among the nations of the world to which her national capabilities give her

* The Earth in Hindoo *Shaster* is called *Kamdenu*—the Cow that grants every wish.

every right to aspire, one hour before those conditions under which other nations have emerged from darkness are found: or, in other words, before her people are EDUCATED, ENLIGHTENED, and FREE. Any number of novel experiments, will certainly not hasten by one moment the approach of the wished-for time; but, on the contrary, if calculated to irritate the people, will be far more likely to postpone it, and possibly to create such a feeling of suspicion, distrust, and hostility to the ruling power, as to render it a matter of extreme difficulty to initiate any reforms at all.

But were it otherwise—were it probable that the anticipated advantages would follow the redemption of the land revenue, as it is certain that they will not, there is one insuperable obstacle to the measure, at present, which cannot be got over. Had this been foreseen, it would have prevented this extremely awkward question from ever having been raised, and Her Majesty's Government would thus have been saved the embarrassment they must have felt, when committed to a line of policy official documents on the subject would seem to indicate they partially adopted with the utmost reluctance. To this obstacle I have before alluded. It is simply this. The Government *can* only sell the lands at a certain price,—and that price the landholders will not pay.

Many, arguing on the attachment of the natives to ancestral rights in the soil, their desire to free

it from all risk of sale, and the facilities a fee-simple tenure affords for raising money, have expressed the opinion that the natives would largely avail themselves of the privilege of redeeming the land revenue on their estates, at twenty or twenty-five years' purchase. A few, more cautious again, have expressed doubts as to whether much success would attend the measure while the rate of interest for money in India remains as high as it is at present; and this is correct. Yet the exact position does not appear to have been clearly apprehended by any. Some say, 'We will calculate the rate of interest at 5 per cent., and sell at twenty years' purchase.' Others say, 'No! rates will fall. You must, therefore, calculate the rate of interest at 4 per cent. We cannot then afford to sell under twenty-five years' purchase.' Now it is quite true that, when land is in the hands of a Government, and population excessive, that Government may demand for it any rent or price it thinks fit; and the utmost discrimination and judgment are necessary in such cases, lest, by the imposition of a rack-rent, tenants be prevented from improving their holdings, and, as often occurs, the land of the whole country be worn out and ruined,—or, by renting it on too easy terms, the interests of the Community be sacrificed to those of a particular class. In Ireland it was, perhaps I may say is, not uncommon for tenants to bid up rents to any height, in the firm intention of paying only so much as they are able, and no more. In short, a

monopoly of land is the most absolute of all monopolies, for, the desire to possess being acted upon by the necessity of procuring the means of existence, the price is forced up to the very highest possible point, and people are left no alternative but to pay it—or starve. In such cases, the seller certainly fixes the price; and to this state of things *only*, is the reasoning above given applicable.

The question then is, is the present one of these cases? Are these conditions now found in India? Certainly not. Contrary to received opinion, land, not population, is here in excess. The revenue, moreover, is fixed in perpetuity, and, as a matter of course, its value is simply a question of calculation; or it is settled periodically,—usually on the *metayer* principle of leaving half the surplus profits in the hands of the landholder. In all cases the people are left in possession, and latterly, where the lands of provinces have been re-settled, rates have been reduced. Admitting constitutional Government then, what the Government can *afford* to take for the land is altogether beside the question. Its demand, except under a threat of enhancing present rates, could not influence prices one iota. What is required to be known, is simply, what the land, or rather the Community's share of its produce, is worth —what it will fetch in the market. *That* is its price —and the Government, if it desires to sell, must take that, or nothing at all.

Such being the condition of things, it may not

be uninstructive to enquire what is the market value of land in India generally. I say generally, because it is obvious that all conclusions regarding a country of such immense extent of area, must be accepted with considerable margin. It has been already shown that in India, the conditions of a strict monopoly are not found. Its value, in exchange, therefore, will be regulated similarly with that of other things, *i.e.* land will be cheap if it is plentiful and money is scarce, and dear if it is scarce and money is plentiful. Now it is a fact, that in India there are many thousand square miles of rich and highly productive land lying waste and uncultivated. Land then is plentiful. Again, a principal reason why so much land is waste, is that there is not Capital in the country to bring it under cultivation. Money then is scarce. In India, therefore, land ought to be cheap and money dear. And so it is. But how cheap? How dear? This I shall endeavour to show.

"A lender of money," says MANU, "may take in addition to his Capital the interest allowed by VASISTHA, an eightieth part of a hundred by the month,"—that is to say, one and a quarter per cent. per mensem, or fifteen per cent. per annum.

VYASA, again, is more explicit. He says, "monthly interest is declared to be an eightieth part of the principal, if a pledge be given; an eighth part is

added, if there be only a surety;* and if there be neither pledge nor surety, two in the hundred may be taken;"—that is to say, one and three-fifths per cent. per mensem, or nineteen and one-fifth per cent. per annum with a surety; and twenty-four per cent. per annum without one.

It will naturally be objected that the ancient laws of ancient lawgivers have little to do with a practical question in the middle of the nineteenth century. True. I refer to ancient law, however, to show what little progress India has made since the days of Manu—what little change the revolution of so many centuries has made in the value of money in this country. The rates of interest for money in India, it must be admitted, are extremely arbitrary, varying from 6 to 75 per cent.; but the following will, I think, give, as nearly as is necessary, the prevailing rates all over the country. Bankers lend money to bankers, at 6 per cent. per annum. Bankers lend money in large sums, to other approved parties, or. on good security, *mortgage of landed property*, &c., at 12 per cent. The normal rate of Bankers' interest of the country, for small sums, is 24 per cent. An enormous business, however, in very small sums, is done by Buneeas, small Traders, Headmen, &c., at ½ an *ana* with a surety

* Commentators are not happy in their explanation of this passage. They make 'the eighth part added' to be a sixteenth; but are only able to do so, by assuming a clerical error which as it occurs in many MSS. seems hardly admissible.

or pledge, or at one *ana* or one-sixteenth in the rupee, per mensem, without either, or at the rate of 37_2 and 75 per cent. per annum. Accounts, by European Bankers, are invariably made up half yearly, and by natives, generally, yearly.

Money transactions between Bankers are carried on at the comparatively low rate of 6 per cent. in consequence of the unexceptionable nature of the security. The Banking system of India is peculiar, and, looking to the present state of society, perhaps the most peculiar feature in it, is the integrity with which it is conducted. The credit of the Barings and Rothschilds in the Western world, is not better than that of some of our Indian Bankers over the whole extent of a peninsula as large as half Europe. Their Bills are as good in the native markets as the notes of the Bank of England are in Great Britain, and for a long time to come, I am afraid, will be preferred, among a very large class of the mercantile community, to the Government notes. When, however, we come to pass beyond the limits of the Bankers guild, the complexion of circumstances is altered. Money is scarce, the prevailing order of things in India up to the most recent date, has been uncertainty, the great body of the aristocracy, large landed proprietors, &c., fond of pomp and show, are extravagant; and these circumstances combined, has had the effect of keeping the rates of interest for money very high,—so high, that as above mentioned, 12 per cent. on the security of good landed property,

is a fair and moderate rate of interest, in the territories under British rule. In native States indeed the difficulty of obtaining money is so great, that landed proprietors, sometimes make over their estates with their rents, as security, to money-lenders, until the debt with interest is paid in full, the money-lender receiving the full return of the estate in addition, for the time he may hold it.* We cannot then fix, very accurately, the rates of interest for money prevailing in native society. Yet we must clearly understand, that *this* is the proper test, and not be led into the error committed by English politicians, in making the Government securities the standard of value; for though they may affect the question from the seller's stand-point, they have really nothing to do with it from the buyer's point of view. If, however, we are satisfied that money cannot be obtained on the security of good landed property under 12 per cent.; or the converse, if capitalists can obtain 12 per cent. with the security of good landed property—and it will be admitted, I am sure, that in this I do not overstate the case,—we have a sufficiently accurate and true standard by which

* This practice would seem to be contrary to Hindu Law. MANU says, 'If he take a pledge to be used for his profit, he must have no other interest on the loan.' But there are so many and apparently conflicting opinions regarding pledges "to be used," and pledges "to be held in custody," that it is not so easy to determine the Law. In Lukhnow, and other Mohammadan States, to evade the law against receiving interest for money, to make over estates, with usufruct, was common.

to find the present value of land in India in relation to money.

Land in India is worth, in these circumstances, just *eight* years and *four months'* purchase; and if we allow an increase of about two years, in consideration of the greater security of property, attachment to ancient rights in the soil, &c.,—and looking at the question as one concerning so vast an area, we cannot do more,—it will give *ten* years' purchase, as the exact value of landed property in India. And that this is correct, moreover, there can be no doubt. The share of the State has been offered for sale by Government, at fifteen years' purchase in the Collectorate of Calcutta, the place of all others where land might be supposed to have the highest value, and at ten years' purchase in Chittagong. In both cases it has been declined.

Now, the British Government can borrow money in India at 5 per cent. per annum, and in England, on the security of the Crown, at 4 or even $3\frac{1}{2}$ per cent. per annum. With reason, then, Her Majesty's Government say, '*we* cannot afford to sell the share of the Community under, at least, twenty-five years' purchase.' But, with equal reason, the people of India say, '*we* cannot afford to buy, above, at most, ten years' purchase.' And the most embarrassing feature in the case is that both are right. How, then, can an agreement be come to—how are the terms of a bargain, in which the standard of exchange has a separate value on either side, to be equalized?

It cannot be done; and thus ends the great question of the redemption of the land revenue of India, for the year 1861.

It is quite excusable, I admit, English politicians having taken, as in England, the Government securities as an index of the value of money. I have been myself eighteen years in India, and my avocations and predilections have kept me in constant intercourse with the natives of the country: yet, I am daily learning some new phase of native character, some, to me, novel features in their various systems of Economy, social, religious, and political. There is unfortunately a wide gulf between the Hindoo and the Englishman, which nothing but time and education will suffice to bridge. It is perfectly intelligible, then, that Europeans in India should not have minute and accurate information on all points relating to the social philosophy of the people, and but an imperfect acquaintance with the principles on which they transact their business; but it is inconceivable to me how any one who has resided in the interior of the country, even for a short time, and who has had opportunities of obtaining the smallest insight into the existing state of the country, could have supposed, for an instant, that a people so proverbially alive to their own interests—so quick, in general, in making a bargain, should all at once become so intensely *stupid*, as to be willing to pay nearly three times its actual value for anything, much less for a

thing of which they are in actual possession, and already enjoying the fruits.

Since the accession of our beloved Queen to the Sovereignty of this great Empire, a great change has taken place in the future prospects of India. Thousands of miles of electric wires now traverse the length and breadth of the country, bringing the most distant points of this vast peninsula,—points which but a few short years back were a three weeks' interval apart,—into momentary communication. Already lines of rails are in progress, that will soon connect all the great centres of political and mercantile importance. A *firman* has gone forth, authorising the holding of landed property by Europeans in India. They are thronging into the country. Banking establishments, joint stock companies for the manufacture of Indigo, Cotton, Tea, Coffee, Beer, Salt, &c.—for the mining of Coals and Iron,—Companies for sea and river steam communication—Tramway and other Companies are springing up in all directions. A tide of the precious metals, undoubtedly, is setting in with snch a full flood, that people may well wonder whether India can, at once, absorb the silver stream that is rolling in; land is being reclaimed; trade is being extended; wages are rising; India, in short, imbued with fresh life and vigour, is rapidly growing. And will the development of these beginnings not affect a change in the relative values of land and capital? Will it not enhance the money value of the com-

munity's share of the produce of the soil? Most certainly it will.

Under the circumstances then, if far distant, it cannot be said that the time will not come when the land of India may be worth, not twenty-five years' purchase at present rates; but twenty-five years' purchase at infinitely higher rates than any that have ever yet prevailed in India. And setting aside legal considerations regarding the right of a non-representative Government to dispose of the property of the Community in the Soil, and viewing the question as one simply of policy, nothing more should be wanting to prove, that the present is the least opportune time that could possibly have been chosen, for attempting the introduction of a measure of such fundamental importance in the philosophy of government, as the transfer of the property of the Community, or the Crown, in the soil, to individuals. The outline of things above sketched certainly indicates that there is great room for profitable speculation in land; but for such, capital is required, and notwithstanding Middlemen, which a few short years ago were considered the curse of Ireland, are thought by some to be required in India, I doubt very much whether the transfer of estates from ancient and noble families to native money-lenders and English Capitalists, is a policy that would tend to ensure those political advantages considered of so much importance. The present sale laws for arrears of revenue, though possibly not more stringent than

is necessary, have undoubtedly not made the people more attached to the Government of their Rulers. Indeed it is an admitted fact, that if the arm of the law were restrained to-morrow, every such new proprietor would be ousted by the people, and the property restored to its hereditary possessor.

That the immense wastes of India should be brought under cultivation is, certainly, most desirable, and the advantages to the country resulting from such a measure, all will fully admit. But I have fairly demonstrated that to effect this object, the *sale* of the land is not necessary, and that a question involving such great interests to the millions of Her Majesty's Indian subjects, as the redemption of the land revenue, should have grown out of it, and should have come up for consideration and decision on the application of a few British squatters, whose sole object is to make money and leave the country as fast as they can, I look on as a serious misfortune. From the sale of wastes much good, and no *present* harm can possibly result. There is reason to believe, however, that provinces like Assam and Cachar, the soil of which is not exceeded in fertility by that of any soil in the world, will, ere long, be quite as populous and far more prosperous than any part of India. It will naturally be argued by native Zemindars then, that if the sale of the lands on very easy terms is thought good for Europeans, it must be thought equally good for us, and Government could hardly refuse to grant it, if demanded.

Had the question regarding the redemption of the land revenue or the sale of the rights of the Community generally, after full and fair discussion, been decided in the affirmative, there could be no objection to the sale of wastes; but until such has been done, it is not expedient to introduce an idea into India which possibly may cause dissatisfaction with fiscal arrangements which till now have been considered sound in principle, and have been for centuries approved and acquiesced in, not only by the people of India, but by the people of all Asiatic countries.

A Governor-General of India, brought up in an English school of politics, can have no knowledge whatever, from personal intercourse with the natives and practical experience of the country, of many circumstances necessary to the complete understanding of an Indian question. Of necessity, therefore, on those points requiring this special knowledge he must be guided by the opinions of his advisers. The late Earl Canning, in sanctioning the redemption of the land revenue of India, was apparently fully sensible of the momentous nature of the question with which he was dealing. He foresaw the important bearing such a measure, if carried into effect, must have on the finances of the State, on the prosperity of the country, and the welfare and happiness of the people. Above all he foresaw that such a measure, if once passed, was irrevocable. His information was defective; he knew it, and his cautious wisdom suggested that in legislating on so important a

point—a point on which opinions so widely differed, —*experience*, the truest of all tests in matters involving doubts and difficulties, would be his best and safest guide. He determined, therefore, before committing the Government to a measure involving such serious consequences, to fortify his judgment by experiment.

"As to the redemption of the Land Revenue," said his Lordship, "great caution is necessary in dealing with what has always formed so large a part of the revenues of the Government of India. The Governor-General in Council proposes, therefore, in the first instance, to limit the permission of redemption in any one district to such a number of estates as shall, in their aggregate assessment, not exceed 10 per cent. of the total land tax of the collectorate, or corresponding fiscal division of the country.

"This restriction will enable Government to ascertain in each province, without undue risk to its permanent fiscal resources, the practical effect of permitting the redemption, both in completely populated and well cultivated districts, and in those where there is much uncultivated land and a thin population. It will afford an opportunity of hereafter reconsidering the effects of the measure with the light of ample experience, while the limit which it prescribes is large enough to allow of a considerable number of those who may be able and desirous of redeeming the Land Revenue of their estates, to do so partially or wholly."

But Her Majesty's Ministers again over-ruled the Viceroy's orders, limiting the power to redeem the land revenue to lands required for dwelling houses, factories, gardens, plantations, &c., and substituting for the tentative and experimental measure of Earl Canning, the larger and more extended measure of a permanent settlement throughout India, in all districts and parts of districts where the assessment was ascertained to be equitable and no considerable increase could be expected.

To renew the discussion of questions which have been already considered and decided by the advisers of the Crown, is in India open to objection. I find some little difficulty, therefore, in treating this portion of the subject, especially as great differences of opinion have arisen between the highest authorities in arriving at present conclusions, and, if the question be narrowed to an election between redemption as an experiment, and permanency of settlement as a rule, I am decidedly of opinion, that of two *evils*, our late deeply lamented and respected Viceroy chose the least. Great questions, however, of this nature are of no mere local interest. They involve principles which are of universal application, —principles which have been discussed by economists in all ages, which will be so discussed probably to the end of time, and which concern not Her Majesty's Ministers nor the Indian Government alone, but the Governments of all existing Empires, and the thinking portion of the whole civilized

World. The land tenure is perhaps of all questions concerning a country, that which is most intimately bound up with its material progress, and the welfare, prosperity, and happiness of its people; and every change in connection with it, ought, therefore, to be introduced with the utmost caution, and only after the fullest and most careful consideration. It is not my business, as I before said, to review the proceedings of either Her Majesty's or the Indian Government. At the same time, it would answer no useful purpose to ignore opinions that have been commented on by every public Newspaper in England and India. Her Majesty's Government have been freely accused of not only destroying the prestige of the Government of India, but of attempting by the illegitimate exercise of an autocratic or despotic power, to bring it into contempt with our Indian subjects. Now I venture to differ from the conclusions arrived at by both those high governing authorities, and can consequently be accused of no partizanship, yet I have no hesitation in saying that a perusal of such correspondence as has been made public on the subject, leads me to a conclusion the very opposite of this. No Government could possibly have been placed in a position of greater difficulty than was the Government of Her Britannic Majesty in dealing with this very important question. Their greatest difficulty, moreover, lay in reconciling their honest convictions of what was best for the welfare of our Indian subjects and the

Country, and their anxious desire to maintain supreme the authority of Her Majesty's Representative in India; and that their embarrassment on this point was extreme, every line of the public despatch on the subject bears conclusive evidence. So apparent is this, that, as it is perused, the impression becomes almost irresistible, that solely out of deference to the principle which Her Majesty's Ministers are accused of violating, a decision has been come to at variance with their better convictions. Indeed on no other supposition is it easy to reconcile some of the conclusions arrived at with the arguments on which they are based. In such circumstances, where the object of all is the same—the welfare of India—the better plan is to direct our attention to principles, in which *all* have a common interest, leaving differences regarding procedure to be settled by those whom they alone concern. I shall step aside for one moment, however, to notice an idea which seems to have been adopted as the watchword of a party, *viz.*, that 'India should be governed *in* India.' India, undoubtedly, *should* be governed in India, because from the moment a contrary principle is recognized, there is danger of the fulfilment of a prediction once uttered by a very wise man that 'India will be lost in the House of Commons.' But, if there are sound reasons why India should be governed *in* India, there are quite as sound reasons, both political and constitutional, why the proceedings of the Indian Government should be

subject to the watchful control of the Sovereign. The intricate foreign relations of the Indian Government, and the proud character of the races with which it has to deal, are sufficient to indicate the necessity, from a political point of view, of not sinking the identity of the Sovereign in that of her Viceroy; while the constitution of the Indian Government, and the very great difficulty of some of the great questions of internal policy liable to arise, is an equally strong argument against permitting them to be decided, unless first carefully examined and considered by some of the wise men of England, as well as the wise men of the East.

Without any disparagement of the Indian services, which have contained among their ranks some of the most able statesmen of modern times, it must be obvious that the training they receive, is not calculated to fit them for dealing, finally, with questions of imperial policy, requiring special knowledge. Able politicians and administrators, both Military and Civil, may be as plentiful in India as blackberries are in England; but if we look amongst the ranks of Her Majesty's Indian services for an Economist, a Financier, a Jurist, an Educationist, we look in vain. Much may be done to repair this deficiency, as has been satisfactorily demonstrated in Finance, by importations from England; and as the Government of India gains fresh strength, the reins of control may be gradually relaxed, possibly with much benefit to the country; but that they should

ever be permitted to slip altogether from the hands of the Sovereign, is an idea that could not, with safety to the best interest of the Country, be entertained. The real remedy for this difficulty, however, is not the leavening of the Indian services from England; but the converse—the employment or apprenticeship of some members of the Indian services in England. But, strange to say, against this plan, simple and inexpensive as it would be, the Home authorities have ever set their faces. Yet we have living instances of the success of the plan.

But to return to my subject. In regard to a permanent settlement of the land revenue of India, it is obvious that, in principle, it is precisely the same as redemption, the only difference being, that in the one case the income is distributed over an indefinite term of years, and in the other it is capitalized. In both cases the income is fixed for ever. For instance, if A buys a house worth £1,000, and B buys a house of the same value; but the house that A buys, bears a ground rent of £5 a year, and the land on which the house that B buys is held in fee simple, A will only pay for his house £1,000, while B will have to pay £1,100; or £100 more than A, supposing the normal rate of interest for money in the country in which the house may be situated to be 5 per cent,—or £125 if it be 4 per cent., £166 and some odd shillings if it be 3 per cent., and so on. This is clear and simple, and it will follow, that, from this point of view, the only point to be consid-

ered is the alteration in the value of money in the country concerned, which, as I have already shown, in regard to India, is a question of much importance. Some people talk much of the depreciation in the value of the precious metals, but this is a *very* long process, and seems to have been introduced into the argument, rather as a remnant of the old confusion of ideas regarding prices and values, than from any practical bearing it has on the question under discussion. Long before the quantity of the precious metals in circulation in the world, could influence the result of this measure, if it ever could influence it at all, the gain or loss to the State, would have been absorbed in its powerful effects for good or evil on the Country.

Now I have before stated my objections to the principle of redemption, as applied to India in its present circumstances, and as the principle, or at least the effect of a permanent settlement of the land revenue from a financial point of view, is precisely the same, it is superfluous to say that the same objections which apply to the one, apply to the other, though possibly with greater *force*; and this would seem to be admitted.* The measure of Lord Canning was preferable, I think, to a permanent settlement throughout India, because it was designed

* Whatever advantages or disadvantages are anticipated from a direct permanent settlement will be equally caused by the indirect mode of attaining the same object by the redemption of the land assessment.—*Despatch Secy. of State*, 1862.

to be partial, tentative, and purely experimental. At present it would certainly have been wholly nugatory, and ere mischief was done, experience, and the expression of public opinion, would have placed the Indian Government in a position to come to a satisfactory conclusion on all points of dispute and doubt.

As matters now stand, Her Majesty's Government are prepared to sanction the settlement in perpetuity of revised assessments throughout India; but it is provided that each case should be recommended by the Viceroy, or that the recommendation of the local Government should have his support. The Government of India have still the power, of staying proceedings, and it is therefore not too late to express a hope that time may be given for the measures of good government and the development of the resources of the country in progress, to work themselves out, before any action whatever be taken in the matter.

Without entering on the consideration, in detail, of the advantages expected to result from a permanent settlement of the land revenue, it is sufficient to say that they embrace mainly what is called advancement in material progress,—the *creation* of wealth; or, viewed financially, ability on the part of the people to bear increased taxation.

Now if the advantages anticipated would necessarily follow this measure, there would clearly be ground for the sacrifice that, from one point of view,

it must inevitably entail. The advocates of the measure entertain no doubt whatever, that they would follow, and not only follow, but follow very much on the principle than an effect does a cause. On the contrary, without in any way disputing that the relation of the two may be precisely as stated, I am of opinion that there is a certain condition of circumstances, which is indispensable to the truth of the proposition,—that unless that condition is found, results will not equal expectations,—that that condition is not now found in India, or in any part of it,—and that it will not be found for many years to come,—if ever. I venture to think, therefore, that while the sacrifice would be certain, the realization of the compensating advantages is, if not chimerical, extremely doubtful; or, at all hazards, far too remote to warrant any action involving much future risk.

Seventy years ago Lord Cornwallis proposed, by the introduction of a permanent settlement into one Province, to accomplish precisely the same ends as are now desired to be brought about over the whole Country. In ratifying this measure, the Governor-General declared himself to be fully confident "that the proprietors of land, sensible of the benefits conferred upon them by the public assessment being fixed for ever, would exert themselves in the cultivation of their land, under the certainty that they would enjoy exclusively the fruits of their own good management and industry, and that no demand would ever be made upon them for an augmentation of the assessment in consequence of the improvement of their estates,"

words which,* without book, might easily be quoted as an extract from a despatch of 1862. "To conduct themselves," the Ordinance continues, "with good faith and moderation towards their dependent talookdars and ryots, are duties at all times indispensably required from the proprietors of land, and a strict observance of these duties is now more than ever incumbent upon them, in return for the benefits which they will themselves derive from the orders now issued. The Governor-General in Council therefore expects, that the proprietors of land will not only act in this manner themselves towards their dependent talookdars and ryots, but also enjoin the strictest adherence to the same principles, in the persons whom they may appoint to collect the rents from them."

His Excellency, no doubt, thought to make English landlords of the Zemindars of Bengal; but it is patent to the World, that he succeeded only in making Irish ones. It is asserted, however, that the interests of the cultivators were sacrificed to those of the landlords, &c., and that other errors were committed in the manner of carrying out this measure that fully account for its failure. With the light of present experience such errors, it is stated, would not be permitted to take place, and it is confidently believed that by their avoidance in future all objections to a similar attempt being now made would be removed. It is further advanced, that notwithstanding the notoriously depressed condition of the cultivators, a creation of wealth *has*

* Vide Regulation, I. 1793, Section VII.

taken place in Bengal, that, contrasting it with other parts of India, is truly remarkable. I fully admit the increase of wealth; but to what, I would ask, is it due? It is due, not to the activity, energy, and enterprise of an intelligent landed proprietary; but to the extraordinary fertility of the Gangetic Delta, its greater freedom from famines, and to those gains arising from an increase in the area of cultivation, to which the landlords of Bengal had no right or title, and which, however upright the intentions of the framers of the law of 1793, can be viewed in no other light than the illegitimate and unjust alienation of the property of the whole community for the benefit of a favoured class. In the year 1793, 30,000,000 acres of land were under cultivation in Bengal, and in the year following, the land revenue was £3,235,259. In the year ending the 30th of April 1857, or ten days before the outbreak of the rebellion, 70,000,000 acres were under cultivation in Bengal, and the land revenue was £3,295,378. Had the excess of 40,000,000 of cultivated acres been assessed at the nominal rate of one rupee an acre, it would have yielded, with little expense, with less trouble, and with *no* dissatisfaction to the people, a clear revenue of £4,000,000 per annum. Seventy years have elapsed since the year 1793, and taking but one half of this period, the accumulation of the illegitimate annual gains of the landholders of Bengal, if hoarded, would represent £140,000,000 sterling, a sum far in excess of the

entire present debt of India, the interest of which the whole Community have now to pay. This is certainly a very startling fact, and though it need not follow, and it is not proposed, that permanent settlement should be made with the proprietors of estates including any large area of uncultivated land, taken in connection with the admittedly depressed condition of the cultivators, and the deplorable state of the public works, and the internal commerce of the Province, it is sufficient to upset any direct conclusions, drawn from general premises, regarding the effects of Lord Cornwallis' settlement, in its relation to the wealth of the Country. True, it may be said that the free gift of large tracts of waste land, has accelerated their cultivation; but the reclamation of wastes, is not a portion of this side of the question. It has no concern whatever with it.

It is undoubtedly to this cause mainly, if not entirely, that the accumulation of wealth spoken of has taken place in Bengal, and that this wealth has centered in a favoured class, which forms but a very limited portion of the Community, will not be disputed. Were it otherwise, the measure would never have been open to those objections, which, in my humble judgment, are fatal to the successful adoption of a similar policy in the present circumstances of India. Were, for instance, the land tenure throughout India *raiyit-wari*, as in Madras and

Bombay,* and the great bulk of the revenue payers industrious peasant-proprietors, like those of Norway, Switzerland, Belgium, and many parts of France and Germany, the gain being to the actual cultivators, a large portion of the increase would find its way back to the soil, and, the injustice to the community being confined within the narrowest possible limits, the evil would, in great measure, be counterbalanced by a corresponding amount of good, in the increased prosperity and happiness of the great mass of the people. But Englishmen, proverbially disinclined to see good in any systems other than their own, do not believe in peasant-proprietary tenures, because they no longer exist in England; because they are Constitutional; and because they cannot understand them.†

Or, were the transactions presented in the form of an agreement or bargain, that is to say, were Government to say to the landholders,—"We will fix your land assessments for ever, giving you not only all the surplus profits and fruits of your own industry and outlay of capital, but such security of

* The assessment in Madras until lately sadly required revision, or rather equalizing. Judging from the condition of the people, as described by Mr. Bourdillon, the assessment must certainly, as a rule, have been too high. Operations however, are in progress which will put the land assessment of Madras on, apparently, a very sound and equitable basis.

† Those who would wish to know something on the subject of peasant-proprietors, may consult, with advantage, the Continental Travels and other works of Arthur Young, those of the elder Laing, of the thorough Englishman Howitt, the Educationist Kay, the French Economist Sismondi, the English Economist Mill, &c.

title, such property in the soil, as by enabling you to raise money, will place you in a position so to improve your land, that in a few years to come, instead of returning you as at present 10 per cent. on your outlay or purchase money, it will yield you 30 or 40 per cent., provided that when that day comes, instead of giving us, as now, 5 per cent., or half your profits, you will give us 10 per cent., or one-third or one-fourth of your profits, in whatever form may be most convenient or most agreeable to yourselves." Were the Government to say this, the arrangement would be a very desirable one for all parties. But such was not the shape of the measure of 1793, and, consequently, the most serious complications have arisen—complications so intricate that *no one* can understand them, and to which I shall presently allude; and, notwithstanding the full flood of light, seventy years' experience has shed on the subject, such is *not* the shape of the measure of 1862.

We have shown, then, that the accumulation of wealth arising from the increased area brought under cultivation in Bengal since the year 1793, has centered in the Zemindars, or landholders,—who, it may be as well to reiterate, were originally mere collectors of revenue, and were never proprietors of the soil; and it remains to be inquired—what have they done with it? It is admitted that they have increased their own wealth, and added to the value of their personal estates by the reclamation of

wastes, and I should be extremely sorry to deprive them of any credit which is their just due on this score. But have they aided in improving the means of land or river inter-communication; have they made roads, built bridges or canals; have they established hospitals for the sick, alms-houses for the poor, caravansaries for the weary and exhausted; have they assisted in the maintenance of an efficient police; have they built colleges or schools, or attempted to improve the existing wretched village *patshallas* of the country, or expended any portion whatever of their accumulated savings in elevating morally or intellectually, their less fortunate fellow countrymen; have they given long leases to their tenants on such terms as have enabled them to improve their holdings and attain a small degree of prosperity; have they built houses for them, drained or bunded their lands, or in any way cared for their comfort or welfare; finally, have they shown a particle of that enterprise, energy, and activity of character, which in other countries tend to divert the surplus wealth of one section of the people into channels from whence *all* derive advantage, and to which England owes her fine roads, her many railways, her mighty steam companies, her mining, iron-working, and other companies? They have done none of these things.

How then has this vast accumulation of wealth been expended, and into what channels has it permeated? Has it found its way back to the soil, to

fulfil the ordinance of the Creator, to increase many fold the earth's produce—to reproduce fresh wealth, which all might enjoy, and of which the King, as trustee for the Community or the State, might receive his just share? It has not. The bulk of this wealth has been squandered in *natches, poojas,* or festivities in honour of mythological Gods and Goddesses, marriage and other ceremonies, feeding Brahmins, &c.; some has been hoarded; much has been put into gold and silver ornaments, jewels, brocades, shawls; and considerable sums have been expended in barbaric splendour.* Nay more, the celebration of these wasteful festivals and ceremonies is often the source of grinding oppression on the part of many Zemindars, who invariably make them the occasion of imposing *abwabs,* or taxes, on their tenants, a practice which, though it has been disallowed by law, is universal.

No contrast could be more striking than that which meets the eye of the traveller from the North West, as he approaches Calcutta—the Metropolis of British India! Bridges broken down, roads in some places washed away, and in others disgracefully out of repair, are everywhere to be seen. A few years back, I counted, for miles along what is called the grand trunk road, heaps of metal which had been deposited for four or five successive seasons, and never laid down. Nor could there be any mistake.

* The Rajah of Pachete has about 100 elephants, the keep of which cannot cost him less than £3000 per annum.

The growth of the vegetation—which in Bengal springs up after a rainy season even out of burnt bricks,—readily told the tale. Indeed it may truly be said, that in the interior of Bengal, there are no roads at all. Dacca, the once flourishing Capital of Eastern Bengal under Mohammadan rule, is still unconnected with the Metropolis. A trip to Darjeeling, the Hill Sanatarium of Bengal, and the only rising European colony of the Province, is literally a perilous undertaking. The hill portion of the road the last official report on the subject tells us will not be *practicable for carts, before the end of* 1864. In the North Western Provinces of India, *where Government is the landlord*, though very much remains to be done, we have the finest roads perhaps in the whole world; *sarais* stud the great lines of intercommunication at convenient intervals, noble canals for irrigation hundreds of miles in length, intersect two great divisions of the country, and others are being built in the Punjab. In truth, it is common to hear persons arriving in Calcutta from the upper Provinces exclaim that Bengal is a century behind the North West in material progress, and the assertion is undoubtedly not without some foundation. I am well aware of the great difference in climate between Bengal and the North West, and the greater engineering difficulties, and the absence of *kankar* or road stuff in many parts of the former. I have resided nine years in each division of the Bengal Presidency, but making all due allowances for these

differences, and at the same time taking into account that frightful famines have periodically decimated the population of the one, throwing half the country out of cultivation, and that the other, besides being naturally far more fertile, has been comparatively free from these visitations, I am unable to alter the conclusion at which I have arrived, that if the perpetual settlement in Bengal has enriched the Zemindars, it has kept the people in a sadly impoverished and depressed condition, and immensely retarded the material progress of the country. It may be said that to build bridges and to make roads is the business of Government; but it is folly to argue as if Government were some benign individual, that disinterestedly distributes its favours from a sense of philanthropy wholly regardless of return. No landlord lays out Capital on his estate without entertaining reasonable expectations of a return, unless it be for the purpose of beautifying it or improving its salubrity. Were he to do so the World would assuredly write him down an Ass! And as the position of Government in this sense, differs in no respect from that of a good and wise landlord, why should the Government of India have laid out millions of money in public works that could not have tended to increase its income by one shilling per annum? There is no sound practical reason for the adoption of such a course. It has consequently systematically refused to do so, and if any one entertains doubts on the subject, let him consult the

minutes of Sir John Peter Grant the late Lieut.-Governor of Bengal, who for the last six years has strenuously endeavoured to obtain from the Government of India the ways and means of improving Bengal, in this respect, in vain.

The Government of India, in making a perpetual settlement with the Zemindars of Bengal, doubtless considered that they had made over, with the surplus profits accruing by the increase in cultivation and the value of the produce, the duties and responsibilities which it still retained in its own hands in the North West, and it confidently expected that the Zemindars would willingly accept the high responsibility which attaches to ownership in the soil. How the two Landlords have discharged their trust, what I have stated above will sufficiently show. But it is not all. The Zemindars have not only not discharged those duties and responsibilities in respect of public works, which in other countries landlords most cheerfully accept; but shielding themselves behind the letter of the enactment which perpetuated the decennial settlement, they have refused all further aid to Government in lieu of any extraordinary protection they may be afforded in times of extreme peril,—or for any public purpose whatever. When, in consequence of the inefficient state of the Police, especially of the *Village-Watch*, thefts, gang-robberies, and dacoities had increased to an alarming extent in parts of Bengal, and Government sought,

all the assistance it could obtain, in righting the evil, it was alleged by the Zemindars "that Government were bound to defray the entire expenses of the Police establishment, and had not even the right to insist on the appointment of the village watchmen, if the Communities considered their interests did not require it."* It would be *monstrous* to suppose that the Bengalis, a race wholly devoid of physical courage, who have ever been at the mercy of the first stalwart race of Northern men who chose to invade them, should be protected both in life and property at an enormous cost to Government; that the State should be saddled with a debt of a hundred millions sterling on this score; and they contribute *nothing* towards its liquidation. It is wholly inconceivable, out of India, that persons situated as are the Zemindars of Bengal,—persons who, as before shown, within little more than a quarter of a century, have been permitted to accumulate a hundred and fifty millions sterling over and above their legitimate gains, should be unwilling to aid a Government

* Statement of objects and reasons of a bill to amend the law relating to Police chowkedars introduced by Mr. Moffat Mills into the Legislative Council of India, 16th September, 1854,—Mr. Mills continued, "The Course of Legislation on this subject which is described below, does not in my opinion bear out this assertion," and lower down in his statement he adds,—"the consequence of these defects in the Law is, that the village-watch, the basis of our Police system, is utterly inefficient, the Chowkedars are inadequately and uncertainly paid, and 'being kept in a permanent state of starvation,' they keep themselves comfortably, by leaguing with thieves and robbers." In the original the extract given in the text, is in the present tense.

which had successfully strained every nerve to save them and their property from destruction. Yet in 1859, when an income tax was proposed, the Zemindars of Bengal, not only declared themselves such, but claiming immunity under the very Act that effected, it may be said, the creation of their wealth, they most stoutly resisted its incidence, loading the Government with accusations of injustice and bad faith, in lieu of those outpourings of gratitude and substantial donations which might have been looked for. Behind such *facts* as these, the confident expectations of Lord Cornwallis vanish into the thinnest of thin air; and with them before us, I would venture to ask, what solid ground have we on which to rest the shadow of a hope, that the future of the present will bear better fruit?

I would add, however, that, though in clearly stating the case as between Government and its subjects, the peculiarity of the situation compels me to lay bare facts in all their nakedness, I do not desire to be understood as blaming the Zemindars of Bengal in the degree the unmeasured terms here used would seem to imply. In viewing the case I have looked at it from an English stand-point, for the special benefit of Englishmen unacquainted with the circumstances of India and its people. It falls to my lot officially to translate into the native languages for publication, the returns of the public works annually executed by private individuals in Bengal, and I am fully aware that, in their own small way,

the Zemindars have always done something towards building wells, tanks, school-houses, making village roads, &c. The Bengali Zemindar has acted in accordance with the dictates of his uneducated mind and his narrowed intellect, and possibly in a manner not very dissimilar to that in which other people, similarly situated and in a similar stage of social, moral, and intellectual progress, would act. Before the powerful influence of self-interest was allowed to form so fundamental a portion of our European systems of Economy, the contrast between the English and the Bengali landlord was possibly not so great as it now is; and if we excuse the Government on the ground of its being precluded from deriving any profit from the outlay of its capital, we must assuredly make *some* allowance for the Zemindar, who, though deeply interested, is at least two centuries behind the Englishman in education and social progress. My intention, then, is not to bespatter the Bengali with dirt; but simply to point out to those who know less of the people of India than those on the spot, that before plunging irrevocably into a policy which, if mistaken, will inevitably prove disastrous, some more certain data than 'anxious wishes' and 'confident expectations,' are necessary, if it be desired that its results should be different to those which have attended other measures introduced with similar intentions.

It is distinctly stated that the object aimed at by a perpetual settlement in India, is to improve the

condition of the people, so as to enable them to bear direct taxation. Now the people of all countries living under anything approaching a constitutional Government, have undoubtedly a right to pronounce an opinion on such a question. It has been repeatedly declared *ex-cathedra*, that the principle of British Rule in India is not a Military Despotism; but on the contrary, that it is Her Majesty's wish that the British Government in India shall be based on the contentment and good will of the people. In European Countries, it is not a very easy matter to ascertain the wishes of the people. Of this we daily have convincing proof. In India, moreover, in consequence of the variety of races and religions, to say nothing of the caste prejudices we have to deal with, it would be almost impossible to find the people of accord on very many questions of state policy of great importance. In such cases the Government must be left to its own honest convictions to act as to its wisdom and judgment seemeth best for the great mass of the people, and the past furnishes us with a good guarantee, that where information is not defective, and honesty and integrity of purpose are apparent, the people of India, ever accustomed to despotism, and, alas, too often, to despotism tyrannically exercised, will accommodate themselves to the wishes of their Rulers, with a readiness and a good will unknown in any part of Europe. But if there is one point in the policy of the British Government on which the people of

India *are* in accord—that point is *direct taxation*. Against this the voice of the nation unmistakeably declared itself, and looking to the anomalous position of the British Government in India, and its expressed determination to govern *with*, and not *against* the will of the people, there seems to be some contradiction of principles involved in this measure and the declared objects and reasons for its introduction, that it would be well to consider, before it is too late. I trust my remarks will not be misconstrued into an arrogant attempt to dogmatize on points of principle and policy, which are disputed by persons and authorities of infinitely greater wisdom and experience in the philosophy of Government. The question under review involves interests of far too great magnitude for the admission into its discussion, by any conscientious person, of feelings other than those which spring from an anxious desire for the good of this great Empire. Whatever then my views are, they are the honest results of my experience of the people amongst whom I have lived for the better part of a quarter of a century, and the only object I have in stating them, is to endeavour to throw such light on this very difficult question, as any opportunities of observation I may have had, enable me. It would be well, I say, to consider this point now, because the time when the tax-gatherer should knock at the peoples' doors, will not be the most convenient for the purpose, nor yet the most favourable for explanations. I have already shown how the Zemindars

of Bengal refused all voluntary aid to the Government for the amelioration of the police administration, and denied its legal right to tax them on that account; and it is worthy of remark that they were supported in their views by the opinion of the highest legal authority in the land, the present Chief Justice of Bengal. Sir Barnes Peacock held, that "the same principle which prevents an augmentation of the assessment, equally precludes the taxation of the owners in respect of the rent or produce of their estates," as "such taxation must necessarily prevent them from enjoying exclusively the fruits of their own good management and industry." Yet a similar principle is now enunciated, and it is dwelt on with force, that the benefit of all improvements is to go into the pockets of the landlords, and that the State is to be precluded from ever obtaining any future augmentations of income from this source (the land).

How the Zemindars of Bengal responded to the call of Government in the day of its trouble, and how, on the ground of their assessments being fixed, they objected to a tax on their incomes, are matters of too recent date, and are too well known, to need notice here.

It is true that it is now declared to be the intention of Government to look to *taxation* as the source from whence all future increase of revenue must come; and as regards the *intention* of the law on this point, no future doubt could possibly arise. But it must

be borne in mind that the people of India are very ignorant. The masses cannot read and write. They are clearly, in these matters, in a state of *infancy*. Of this great question which so deeply concerns every man in the country — which has agitated Anglo-Indian, and a large section of English society for the past year, and been discussed in almost every English Journal and Review in both Countries, not *one* in twenty thousand of our Indian subjects has even so much as heard.* Should the Zemindars, then, when the time comes for Government to legislate for the deficiency of revenue, disclaim all knowledge of the *intention* of the previous law, it appears to me that it would be awkward. But should the Community, by that time more enlightened and independent, take higher ground, and admit an acquaintance with the *intention*, but demand a distribution of taxation in such a manner as to effect the

* It is a curious fact, that the *raiyitwari* Settlement of Madras is a perpetual settlement, and when first made was declared to be so, a declaration which has since been repeatedly re-asserted by the highest authority. The Madras Board of Revenue in 1857, in pointing out the erroneous impression that prevailed, regarding the Bombay settlement of 30 years, giving a greater permanency of tenure than the Ryotwari settlement of Madras, observed :—"This is altogether an error, for the Madras Ryot is able to retain his land *in perpetuity without any increase of assessment*, as long as he continues to fulfil his engagements." And the Madras Government in the same year stated :—"The proprietary right of a Ryot is perfect, and as long as he pays the *fixed assessment* on his land, he can be ousted by no one." The new assessments now being made, are subject to revision after 50 years, a modification of which the people, I should think, have no knowledge whatever.

restitution of their property, on the ground that they were not consenting parties to the transaction, I cannot foresee what answer could satisfactorily be given to them. For, should the Government be weak, the people would *certainly* resist; and, should it be strong, and carrying things with a high hand refuse to listen to the remonstrances of its subjects, they would inevitably inveigh against the injustice and bad faith of their English rulers, as of late has not been uncommon. In any case, there is some reason to doubt the realization of those political advantages regarding which all seem now so certain.

Nor do I raise objections merely for the sake of argument, nor yet for the purpose of making difficulties where none actually exist. I simply state, knowing as I do, the detestation of the people of India of *direct taxation*, what *has* taken place, and what I firmly believe would take place again. The people of India, at present are wholly unacquainted with European systems of taxation. They cannot understand them; and though they will submit to any tax that is not oppressive or inquisitorial without any apparent exhibition of dissatisfaction, every fresh imposition is carefully registered in their account with their rulers, and helps to swell the measure of their disaffection, when any violent revulsion of feeling calls for its exhibition.

In the North West, we have a *thirty*, and in Madras, a *fifty* years settlement. The landholders and peasant-proprietors, having a perfect right of occu-

pancy, sell and mortgage their land without let or hindrance. Can anything further, as regards security of title, be required? Does any English landlord give such good leases to his tenants? I think not. Assuredly then, security of title is not what is required to give the people of India such an interest in the soil, as will induce them to expend capital upon it. They have it to the full already; and if proof of the fact be wanting, I refer to the rent-free tenures. Rent-free estates are scattered throughout the Bengal and Bombay Presidencies. One sixth of the whole of the land in the Madras Presidency is held free of rent. Compare the condition of the cultivators of both, and what is the result? The bulk of the testimony of the Government officials on the subject is, that the condition of the people paying revenue to Government is *better* than that of those paying *none*, the reason assigned being, that the demand of Government acts as a beneficial stimulus on their dormant energies.

We must seek, therefore, for some other causes for the depressed condition of the cultivators and peasant-proprietors of India, than the absence of a perfect property in the soil. Nor is it difficult to find them. They are, high assessments, rack rents, short leases, oppression of landlords, excess of land over population, famines, defective means of communication, peculiar characteristics of the people, &c. It is to these evils and *not* to the tenure of the land, that attention should be directed; and

it seems to me that far more may be done to remedy them, if Government remains the Landlord, than if the sole property in the soil be made over to individuals. And there is yet one more cause—a cause more potent than any yet assigned, in its influence on the condition of the cultivators, and its bearing on this highly important question. I allude to the low degree of the intellectual development of the people. I am fully alive to the *magic* of property in the soil. I heartily concur in the opinion, that if you give a man secure possession of a bleak rock, he will turn it into a garden; and if you give him a five years' lease of a garden, he will convert it into a desert. But, I conceive that by a *man*, is here meant, a thinking intelligent being, one who not only knows his own interest, but knows how to work it out; and, if Adam Smith's authority is of any weight, this could not have been predicated of an English *man* a century ago, and it certainly cannot be predicated of any race or section of the people of India at the present day.

English settlers and speculators, as pioneers, and by the introduction of capital, will do much for the material progress of the country. But it must never be lost sight of, that Englishmen in India, are but a means to an end, and that though in the attainment of this end, the interests of both races may be well served, as long as the existence of the one race is exotic, the interests of both must in no small degree be antagonistic. Englishmen in India, from this

point of view, are useful only in so far as they supplement the deficiencies of the natives, for, birds of passage as they are, if they bring one rupee INTO the country, *it is only that they may take two, or more probably, four,* OUT *of it. India is certainly the* ONE *rupee richer; but still the* TWO *or* FOUR *poorer than if the developers were true sons of the soil.**

It is Education then, to which England must look as the true means of effecting such a regeneration in the people of India, as will make them a willing instrument in the hands of an enlightened and upright Government to work out their own prosperity; and it is by the force of example, that lever which Arnold held to be of first importance in the philosophy of education, that the English developer, will prove so able and so valuable a help to the Government of India. Under the circumstances, it cannot but be a source of deep and sincere regret to those who wish India well, to see a department, of all those of a Government the most powerful in its influence for good, or for evil—a department on the efficient and judicious administration of which must ultimately depend the solution of the most difficult problems on which her Majesty's Government are now employed, so sadly neglected. Without a head, without the basis of any fixed principles, this Department is altogether unrepresented in the Supreme

* This is why I look on Mr. Schiller's scheme for reclaiming the Sunderbuns with such favour, the natives being its chief supporters.

Government, and thus that bark which carries the best fortunes of the people, is left to drift whither the currents of the varying and crude opinions of half a dozen Directors of Public Instruction may carry it. Yet, I have no hesitation in saying, that the greatest, indeed the only great obstacle to the introduction of the policy her Majesty's Government are so anxious to induct, is—*the ignorance of the people.* In their present state of intellectual development, it is utterly impossible that the people can understand their own interests, and assuming their interests to be the object of Government, it requires no logic to establish, that until they do know it, the action of the Government and its subjects will be opposed to one another. I have no hesitation in stating that had the people of India not been ignorant and superstitious, the rebellion of 1857 would have been an impossibility.

It will be argued that the process suggested is long, and there is no doubt of it. But if there is no doubt of it, there is, unfortunately, no *help* for it; and, consequently, there is the greater reason why no time should be lost in straining every nerve in completing, consolidating, and perfecting the measures at present in operation. Nor will it follow that, in the meantime, any measures of good Government suitable to the progressive development of society, should be delayed one moment beyond that time when the condition of the people renders them desirable. No inventions of modern times

have exercised such magical influence on the progress of nations as Electricity and Steam. Telegraph wires now connect the most distant points of the Empire. Railroads are in rapid progress along all the great lines of communication and traffic. Their effects will assuredly not be wanting in accelerating the accomplishment of that final task, to the completion of which the energies of all are directed. *Combine these forces, let all work in harmony, and there can be little doubt that everything that could be desired will follow so rapidly, as to astonish even the most sanguine progressionist of the day.*

CHAPTER VI.

OF THE POPULATION OF INDIA AND THE ERRONEOUS OPINIONS WHICH PREVAIL REGARDING IT.

I HAVE said some pages back, that it is popularly believed, that there are millions of people in India starving for want of employment. Now this is a most erroneous idea. Yet, it cannot be confined to the outside public, for it seems hardly credible that Her Majesty's Ministers, if fully aware of the existing state of India in relation to this question, would be concluding treaties with foreign powers, to deprive her of her *greatest* want—her most precious wealth. The existence of the popular belief on the subject can be very readily understood. It is maintained by talkers on Indian subjects,—persons who seem to consider it their mission to address themselves to the redress of Indian grievances. These gentlemen are generally well intentioned, and often do much good. But as they will not always take the trouble to make themselves acquainted with the subjects they take up, and, more frequently, have not the best opportunities of obtaining accurate information, they sometimes do a great deal of mischief. When I first came to India, now about eighteen years ago, it was customary to set

down the population of British India at 130,000,000. I have been extremely amused in observing how this number has gradually been swelled up, first to 150,000,000, then to 180,000,000, and lastly to 200,000,000, at which, for the present I believe, it stands. True, Her Majesty's possessions in India have increased considerably within the last eighteen years. But in what ratio? The Punjab added, say 10,000,000; Nagpoor 5,000,000; Oude 5,000,000,; Pegu 1,000,000 to the population of British India, making a total of 21,000,000 souls:—or, allowing for the lapse of minor States and Principalities, say in round numbers 25,000,000. The latest returns to Parliament give the population of British India as 135,369,598. Yet in every speech in the House of Commons, in every newspaper article, in every review on the subject, Her Majesty's 200,000,000 of Indian subjects are regularly paraded before the public, with the same confidence as if they had been actually registered, mustered, and returned. Were the public, at the same time, favoured with even an approximate estimate of the area of this great peninsula—were it always added, for instance, that, Russia excluded, India is larger than half Europe, there would not be so much harm in the multiplication of these hundreds of millions of people. But, generally, no allusion whatever is made to this simple fact. The public, consequently, never very discriminating in statistical matters, and having no standard of comparison pre-

sented to their minds other than that of their own little island, at once run away with the idea, that India has a teeming population, with which it is sadly oppressed and over-burthened. That the contrary is the case—that India is extremely underpopulated, and that the crying want of the country is a population in some degree proportionate to its immense area, the vast tracts, the thousands of square miles of rich, highly productive, and culturable land, which are now lying waste, for the simple reason that there are *no people to till them* are a sufficient proof.

But to pursue the enquiry a little further, let us examine the question in greater detail. The number of souls per square mile in Belgium is 413, in Holland 271, in Great Britain 237, in France 177, in Prussia 159, in Austria 144. We are very badly off in India for statistics of any kind. A very great portion of the Country has never been surveyed. Without any great fear, however, of being over the mark, we may estimate the area of British India, at not less than 1,000,000 square miles, and taking the population at 135,000,000 it will give only 135 souls per square mile.* Now the produce of the soil of any country, only reaches its maximum, when the pressure of population forces cultivation up to the highest possible point; and as it is an axiom that each increase in productive

* The total area of India, including native states, the parliamentary return gives as 1,476,316 square miles.

power, is gained at a higher proportional increase of labour and outlay, the tendency of population is to increase beyond the power of the soil to support it,—or in other words, the ratio of the increase is always in favour of consumption and against production. The maximum attained, should population still increase, in a self-supporting Country, one of two courses only remains—population must be checked, or emigration must carry off the surplus. It is impossible to compare a country of such vast extent as India, as a whole, with any Country of Europe, except perhaps Russia. What, then, the comparative capabilities of the soil of India for supporting population may be I cannot say. But taking into consideration that in almost all parts of the Country, two, and in several as many as three or four crops are obtained in a year, its power if not greater, ought not to be less than the European average. And if these data be approximately correct—and the figures here given certainly leave a very large margin for error—it will appear that, taking the whole superficial area, India is very much *under*-populated.*

* The area of *British* India, as computed up to date by the Surveyor General, is 856,746 square miles, which would give a population of 156 souls per square mile; but even this number, though less than that of the most populous European countries, is, I think, an over-estimate. The returns of population based on the censuses taken in the N.W. Provinces in 1826 and 1848, are manifestly fallacious. The first gave an average in six or seven districts, of 484 souls per square mile, the second an average of 322. But all censuses in India have been little better than guess work. The truest test, for general purposes, is the price of grain, and in most parts of India, making all

It is quite true that population in India is very unequally distributed; so much so, that while enormous tracts of country are waste and wholly without inhabitants, population in others, is, as it were, lumped. The characteristics of the people, their love of fatherland and place of birth, caste restrictions and prejudices, famines, inundations, poverty, ravages of disease, and of wars—all these have combined to assist in maintaining in the midst of large provinces unsurpassed in fertility of soil and natural capabilities by any country in the world, a stagnation unknown in Europe. Thus, in the province of Assam, the soil of which will literally produce *any* crop in luxuriant abundance, population is not only so sparse that six millions of acres are waste; but in populated districts the people are so indolent and lazy, that the productive powers of the soil are, comparatively speaking, allowed to lie almost wholly dormant.

Assam was once apparently a flourishing and well populated Province. The developer now, as he wields his axe, frequently comes upon ruins of considerable extent buried in the jungle of dense forests. The remains of noble buildings too, which are to be found scattered here and there, attest that the people

due allowances for the dearness of money, except in times of dearth, it is comparatively cheap. Cultivation throughout India is low, and large tracts of land are waste. We require no other data to satisfy us that population is not in excess of the productive powers of the soil. In China, where population is really excessive, we find cultivation at the highest point, and emigration very active. The laws of nature are always a very safe guide.

had attained a no small degree of civilization. But the province had been subject to frequent inroads from hostile neighbours and savage tribes, who ravaged the country, massacring thousands of the inhabitants and carrying off their cattle. Immediately preceding the occupation of the country by the British, it had been overrun by a Burmese army, which it is said carried off 30,000 captives into slavery. The whole province, therefore, though of great natural fertility, through the annihilation of its population and the plunder of their property, was reduced to a state of great prostration. The condition of things when the English first took possession of Assam, is thus described by Colonel Jenkins, the late Governor-General's agent on the North-Eastern Frontier:—"When therefore we assumed the charge of the country, nothing could possibly be more unpromising than the state of the country. The small remnant of the people had been so harassed and oppressed by the long civil and internal wars that had followed the accession of Raja Gourinath Sing in 1780 down to 1826, that they had almost given up cultivation, and lived on jungle roots and plants, and famine and pestilence carried off thousands that had escaped the sword and captivity. All men of rank, the heads of the Great Ahom and priestly families, had retired to one district, Gowalparra, having, with little exception, lost the whole of their property. With the nobility and gentry retired a vast body of the lower classes; the

former mostly returned to Assam after our occupation, but large numbers of the latter never returned, and their descendants form still a large part of the population of Habraghat and Kootaghat." But British troops drove out the Burmese, the British Government restored peace and security of property, and in accordance with the laws of nature, increase of population and wealth should have rapidly followed. Unfortunately, however, among the characteristics of the people, *laziness* and *indolence* are most prominent. They determinedly refuse to do more work than will just suffice to maintain them in the comfort of a rude existence. More unfortunately still, they are addicted to the use of a drug which heightens those characteristics by its baneful influence on their physical powers—Opium! This drug is consumed, in quantities, by 70 per cent. of the people. They give it even to their children, and the results on the whole population are very evident."

"The habit," reported Dr. J. Long in 1853, "acts very injuriously on the people: it renders them listless and apathetic; weakens their digestive system, and produces congestion of the brain and other organs, particularly of the liver and kidneys. It has before been noticed the liability to severe congestive inflammation of the lungs, to which opium-eaters are liable after slight labour.

"So long as the opium-eater is able to procure good and nourishing diet, suited to his system, and

to provide himself with proper clothing and comfortable lodging, the evil effects of the drug are not so speedily seen as in the case of his poorer brother, who, to obtain the means of indulging the vicious habit, is obliged to stint himself in wholesome food and to go badly provided as to lodging and clothes; but even in the more comfortable class, the evil day is only put off. At length, under the use of opium, the system gives way; the bowels become torpid; the liver and kidneys congested; the circulation of the blood sluggish, and the brain unfitted for the healthy performance of its functions; torpor of mind and body becomes established and goes on increasing, till dropsy or some other disease comes to close the scene."

"The offspring of such a race is a degenerate one, weak and sickly."

"It is manifest," wrote Sir John Peter Grant late Lieutenant-Governor of Bengal regarding this rich Province, on the 20th January 1860, "that the great want is a sufficiency of labour for the proper cultivation of land already obtained for, and in part planted with Tea, and for the proper gathering and manufacture of the leaves. This is work in which the men, women and grown children of a whole family can be employed; and it is therefore most favourable for the importation of labour at a moderate charge, and the fixing of a new labouring population in the neighbourhood of the Tea plantations. It is also found that the profit of Tea cultiva-

tion is such as richly to repay an adequate expenditure in increasing it. This state of things indicates the propriety of high wages; and the generally scanty population of Assam, its remote position, and its difficulty of access for poor people from the populous parts of India, indicate the expediency of having resort to a systematic course of proceeding in the importation of labour from other parts of India. *But it is not for Government but for those immediately interested in the Tea plantations of Assam, to apply themselves to this as to other requirements of their position.* If they do so, they may be sure that whatever Government can legitimately do to facilitate their endeavours, will be readily done."

Following out the abstract principle argument, and again ignoring the practical fact that the normal rates of wages in many countries is three or four times greater than in India, the planters were informed that the Sugar planters of Mauritius found it to their advantage to pay £1 a month to Indian labourers, and were told that if *they* would establish an organized system of immigration and pay equal or less wages, the coolies would doubtless elect for Tea in preference to Sugar.

Time out of mind did the Tea planters, to the best of their ability, give general ideas of their wants, and while imploring assistance, at the same time express their perfect willingness to pay any rates short of such exorbitant rates as would *bouleverse* the labour market of the whole province, provided

Government would simply establish an immigration agency, and afford reasonable protection to their interests.

The results of this inaction on the part of the Government of Bengal, were very lamentable. Situated in a country in which it is notorious that no important operation, *if new*, can be undertaken with the remotest chance of success, without Government supervision and support, the planters, thus abandoned, were driven back on their own resources; —and, reduced to the utmost straits to save their property from ruin, they adopted such means of aiding themselves, as were within their reach. Plantations were rapidly progressing. The labour of the province was wholly inadequate to the increased demand. Powerful companies, and those planters who had capital sufficient, endeavoured to establish independent agencies for immigration. But the rules rendering all grants liable to confiscation by the Government for thirty years, prohibited the possibility of obtaining any advance of money on the security of the cultivation, and the bulk of the planters being men of small means and unequal to operations on a large scale, they were compelled to witness the plants, in which they had invested their little all, choked with rank jungle, or their precious leaves harden and spoil on the bushes before their eyes. The cultivation, thus, was seriously checked; and a struggle arose for the labour that was available. The course pointed out by the Lieutenant-

Governor was partially adopted. Inducements, higher wages, were offered by those planters who were reduced to the greatest straits. The temptation had its effect. Coolies under engagements for a term of years, broke their contracts and deserted in bodies. The planter who to-day hugged himself in the belief that the next day he should pluck a full crop of leaves, awoke on the morrow to find half his Coolies gone. Ill-feeling naturally arose. Every planter looked upon his neighbour with suspicion and distrust. True, the planter could prosecute each Coolie for breach of contract and imprison him for fifteen days; but what could he gain?—an infinity of trouble, and the loss of his time and more money.

At this juncture, the Government of Bengal turned its attention to the advancement of Public Works. Here was a chance for the Province. Paternal by tradition, and wise in the wants of the Province by experience, the Government would surely import labour in large quantities for the prosecution of the roads, bridges, and other works it proposed to take in hand. It would, possibly, now adopt a suggestion which so often came up from Assam, *viz.* to employ Jail labour on useful Public Works. Vain hope! Labour was not imported; and to employ convicts, it was objected, would make Assam a penal province. The Public Works Department backed by the whole power of the Government, and with its unlimited capital, entered the labour market of the province already strained to the utmost limit.

Planters remonstrated. Their remonstrances were considered unreasonable. They had long asked for roads and bridges. Funds were now available for the purpose. The works must be carried on. Double treble *fixed* rates of wages were offered—and accepted. The planters in despair, urged that of their wants, *labour* was the most pressing, and prayed for the discontinuance of the Works.

Such was the situation in Assam and Cachar in 1861 and 1862. It was certainly not satisfactory. But a far more painful feature of the case remains to be noticed. It will be recollected that the planters had expressed their perfect willingness to pay the expenses of a proper immigration agency; but stated their inability to set on foot the necessary machinery of an organized system. And to any person acquainted with the circumstances of the cultivation; the attempts of the more powerful Tea Companies to maintain a monopoly; the rival interests and extreme jealousy of all engaged in tea operations; and the consequent impossibility of securing any thing like co-operation,—that such was in reality the case, must have been obvious. But sound principles as understood in Bengal, must be allowed room for unrestricted freedom, it being apparently entirely overlooked, that the action of the Government was required more for the protection of the coolie, than the assistance of the planter. In other words *nothing* was done—and behold the result.

Coolies were contracted for by private parties, as

so many sheep or bullocks, the Contractors receiving a certain sum for those who arrived in the district, and for those who died *en route*, but none for deserters. To those who have been in India, and know what an Indian Contractor is, an explanation of his *modus operandi* is unnecessary. They know that, as a rule, he is unscrupulous, and that as long as he puts money in his purse, whether it be human beings or the beasts of the field he has to deal with, the amount of dishonesty or cruelty he perpetrates, will not sit heavy on his conscience. Nor was it otherwise in this instance. False representation, corruption, oppression of every and the worst description, were used to swell the number of the Contractors' recruits. The old and decrepid, the young and tender, the halt, the maimed, and the blind, —nay even the infected, the diseased, and the *dying*, were pressed into the service of these most degraded of crimps. There was no Government Agent,—no Medical Examiner. On arriving at the depôts, these unfortunate creatures were located in places, the pestilential vapours of which, generated by the ordure and filth with which they were filled, were *deadly* to human life. Many, in these cess-pools, contracted the germs of distemper and disease, and in this state were placed in gangs on board boats to be sent to their final destination.* Here, crowded

* It is but just to add, that these condemnatory remarks apply only to native contractors, the official report speaking in the highest terms of commendation of Mr. Banneritz's Agency,

and huddled together, and compelled to live in a state of uncleanness revolting to human nature, as might be expected, Cholera and other malignant diseases broke out with fearful effect. In some instances *ten* per cent. of these wretched victims were carried off in as many days. In others the mortality reached to *forty* or *fifty* per cent., in a three weeks' voyage. With some truth may it be said that the horrors of the slave trade pale before the horrors of the coolie trade of Assam and Cachar in the years 1861-62. Yet is the worst not yet told. The dead feel no pains; let us follow the living. Arrived at their destination, many urged that they were unequal to field labour, that they had been engaged as artizans, menial servants,—nay even as priests of temples, at treble the rate of wages they were offered. But the planters had contracted for coolies,—had paid for them, as such—they had signed contracts to serve as such for three or five years—they were able bodied,—they *must* work. But what of the weak, the halt, the maimed, and the blind? Rejected by the planters as useless, they were turned adrift, to find their way, penniless, hundreds of miles to their village homes, or, more probably, to starve and to die! The imagination of the English reader will recoil with horror from such a picture as this—possibly reject it as purely imaginary or untrue, yet nothing has been stated that official documents have not recorded, and in India it is a rule that in such cases, the worst is never

told. For the greater satisfaction of the credulous, however, I add the following extract from the Annual Report on the Administration of the Bengal Presidency for the years 1861-62.

EMIGRATION OF COOLIES TO ASSAM AND CACHAR.

"The system under which the Tea plantations of Assam and Cachar are supplied with labourers from Bengal has attracted the serious attention of Government during the year. It was reported that *in almost every shipment of labourers from Calcutta, a fearful amount of mortality occurred from Cholera and other diseases during the journey. In one case the mortality was said to have reached even to* 50 *per cent.* From enquiries which were made, there seemed to be too much reason to believe that this fearful mortality was attributable chiefly to great want of foresight and care in the despatch of labourers, especially in the River Steamers. A Committee of gentlemen of much experience in the working of the Emigration Department was accordingly appointed to report upon the arrangements in force for importing labour into Assam. The opinion at which they arrived, after careful enquiry, was, that Coolies were shipped in large batches without any arrangement to secure order and cleanliness; *that uncooked food was issued without cooks to prepare it,* that the Medical charge of the Coolies in many cases was left to ignorant Chupprassies, who were entrusted with small supplies of Medicine with the uses of which they were of course as ignorant

as the men to whom they administered it: in other cases unqualified Medical Officers were sent in charge; *labourers were embarked in some instances almost in a dying state;* over-crowded Flats were lashed to Steamers day and night, and the Coolies on board were thus deprived of their only chance of free ventilation. The Committee found that there was no uniformity of system in the despatch and recruitment of Coolies; labourers, in most cases, were provided by Native Contractors at so much per head; practically the supply of labourers was, they found, an ordinary commercial transaction between a Native Contractor and the Planter, '*all parties considering their duty and responsibility discharged when the living are landed, and the cost of the dead adjusted.*' There appeared to be no specific engagement on starting between employer and labourer,—a state of things which opens a road to an immense amount of false statement and exaggeration on the part of the Native Recruiters. They found an entire absence of any efficient Medical inspection of Coolies before shipment, and even when the men were inspected by the Planter's Agents, feeble and sickly persons were, it was believed, substituted for the healthy men accepted and passed,—*persons at the point of death having been known to be sent on board.* There was no inspection of the boats employed. The depôt of a Native Contractor is thus described by the Committee. 'We found little trace of any habitation, but a square of ground was pointed out

to us, in the neighbourhood of Fenwick's Bazaar, as Thakoor Lalla's depôt; and a hut, a few feet square, only now in course of completion, was said to be the sole accommodation. This square resembled rather the half-dried bed of a small tank, greatly defiled by the surrounding people, than anything else that we can compare it with. A spot more repulsive to sight and smell we could not imagine; and having assured ourselves beyond all doubt that the Contractor's labourers did really congregate here, we felt no surprise at the stories which we heard of the numbers that yearly fall victims to disease in his hands. We found no person in this place who would acknowledge any connection with Thakoor Lalla, nor any sort of preparation for the reception of human beings, except the hut above mentioned; and we were forced to conclude that the proprietor, having heard of our intended visit, had removed all that belonged to his depot from fear of more damaging 'disclosures.' The supply of women is stated to be out of all proportion to the supply of men, the rate being only 5 to 15 per cent. The smallness of this proportion is considered by the Planters to be the principal cause of the very numerous desertions which take place during the river passage and after arrival."

"Ignorance, neglect, and misconduct worse than either, on the part of those intrusted with the care of immigrating bands of coolies," again says the Committee report, "have been brought to light in the

course of our enquiry, and of these, the legitimate results are *disease* and *death.*"

But it is unnecessary to quote further from official documents. The above extracts, though they tell but half the sad tale, contain sufficient to show that something was very rotten in the state of Bengal; and it will naturally be asked who was to blame? Not the Contractors, surely, for if men could be allowed the free and uncontrolled exercise of their will, there would be no need of Laws. Even Manu quaintly, but truly, tells us that "if a King were not to punish the guilty, *the stronger would roast the weaker, like fish on a spit.*" Nor yet the planters, for having to pay for the dead as well as the living freight, besides the unfortunate coolies, they were the greatest and only sufferers. Again, it has been shown that they not only warned the Government of their utter inability to make efficient arrangements: but declared their perfect willingness to pay all expenses. I have no desire to fix blame on any individual; but I do desire to point out what very serious mischief—what extreme cruelty may possibly result from the barren discussion of 'sound principles,' when the urgent necessities of a crisis require that men should be up and *doing,* not what a profound knowledge of principles indicates to be the 'correct thing;' but what 'common sense' dictates that the immediate exigencies of the case requires,—and consequently what absolute necessity exists, for the Supreme Authority in India, exercising such vigilant

control as will prevent the best interests of mighty provinces being ruined and the people from being cruelly oppressed. Centralization may certainly be an unmitigated *evil;* but centralization, if it insures good or better Government, can only be an unmixed *good.*

If we examine this case carefully, it is not difficult to see that the evils commented on, originated in a complete misunderstanding of the *situation;* and the application of a policy not only unsuited to the country, but wholly inapplicable to the circumstances of the case. And if proof be wanting that such is the truth, clearer could not well be obtained than from the fact that after two years of inaction, the report of the Committee appointed to investigate the matter, did nothing more than expose to the full glare of light the frightful nature and extent of the sores that had been allowed to fester under the very nose of the Government,* and reiterate and confirm the statement of the planters, made three years before, that any system of immigration "to be successful would require to be conducted under the auspices of Government."

The question was treated by the Government of Bengal, from the outset, as one of *labour* and *capital,* instead of one of *Colonization,* into which the relation of these elements, from the Government point of

* The depot of Thakoor Lalla, alluded to in the administration Report of Bengal, is situated within a few hundred yards of the Council Chamber.

view, did not enter at all. It is the more singular that this error should have been committed; because it would seem that the Government of Bengal was fully alive to the circumstances of the province in January 1860; and in the extract from the published correspondence given above, the position is so very clearly described as similar to that in which even antiquated economists admit that the magnitude of the interests to the nation are so great, and the consequences resulting to society and posterity from the errors, misconduct, or incapacity of individuals, may be so serious, that interference is necessary, that it is difficult to reconcile the opinion, that "it is not for Government but for those interested in the tea plantations of Assam, to apply themselves to this, as to other requirements of their position," not merely with the pledged faith of Her Majesty's Government to encourage and assist those who relieve it of the *duty* of developing the resources of the Country, but with an acquaintance with the true functions of Government.

There are many parts of the world in which large and rich countries are without inhabitants—many in which, though populated, there is no form of Government. The now tolerably well understood law of population, and the less defined though equally recognized principle of progressive development, ever impelling man in a forward direction, are gradually evolving order from confusion, and as steadily fulfilling the divine ordinance:—"Be fruitful and mul-

tiply—replenish the Earth and subdue it." Here are fields in which consumers may also become producers; but is this course followed? On the contrary, we find the secret of colonization to lie in an essentially opposite principle, and that unless shoots from the parent stock *take root* and flourish in the new soil, in their turn contributing as consumers and producers for the mother country, the object of the Divine law is not fulfilled—the wealth of the world is not proportionately increased. It has been the *knowledge* of this *simple principle*, that has made England's colonies her glory; and placed her at the head of the commercial nations of the world. It has been the *ignorance* of this *simple principle*, that, with population congested in many places, has left whole provinces in India howling wildernesses which might be smiling gardens, and thus assisted in maintaining a stagnation antagonistic to all progress. "The fixing of a new labouring population" in those remote and isolated provinces of India, which, though rich and productive, have by the visitation of God or the inroads of savage man, been wholly, or in part, denuded of inhabitants, is *not* the duty of growers of tea, or coffee, or cotton, or indigo, or other things which England may demand, or any other individuals who come with their capital and energy into the country to *aid* the Government in developing its resources. The question of colonization involves perhaps the highest and best interests of civilization, and is pre-

eminently the business of Government:—*first*, because to be carried out on a scale commensurate with even moderate success, except in peculiar circumstances, it can be undertaken only by a body as powerful and wealthy as a Government; *secondly*, because to insure those beneficial results to the nation and posterity which should flow from the removal of population from the over-populous regions of the world to wastes, it must be conducted under such rules and regulations as wise and experienced statesmen alone are competent to frame, and a Government is able to enforce; *thirdly*, because it is Government alone that possesses the power to bestow that for which people in number migrate—land; *fourthly*, because the benefit derived from such a measure by the Country and the Community or State, is infinitely greater than that derived by individuals; *fifthly*, because colonization, when undertaken under proper rules and regulations by a Government, can not only be made self-supporting, but eminently remunerative, whereas if undertaken by individuals, it *must* entail ruinous loss; *sixthly*, because independent of all financial considerations, it is the sacred duty of a Government to aid in the distribution of the population which it has pleased God to commit to its care, in such a manner as will best conduce to the prosperity, the welfare, and the happiness of *all*.

It is a specious argument to advance, that those who are engaged in a cultivation, the return to the

cost of production of which is very large, are the proper people, and can well afford, to provide for *all* the necessities of their position. But the class of people who emigrate from any country, except as before mentioned under the pressure of peculiar circumstances—are the *poor*. In the outset at least, all their expenses must be defrayed, and howsoever lucrative the business, trade, or cultivation for which their labour may be required, should these expenses or advances be defrayed by producers or capitalists they *must* be given some security that they will recover their advances, or at least that *they* shall be the people who will reap the benefit of their outlay. Hence the necessity for a Contract law. But here again we are met by a greater difficnlty, for however stringent may be the laws framed, no *really good* security can ever be given to capitalists, *living in a free country*, that after having paid all the expenses of importing labour, their labourers will continue to work for them. And this is obvious, because the wages of labour, like the prices of all things, are regulated not by contracts, but by the circumstances of markets. The plan of contracts for labour in like cases, has been tried over and over again, and in every instance—and latest in the province of Assam—it has been found, as above shown, to be wholly inoperative, for this very simple reason,—that the trouble, the delay and expense, of enforcing labour contracts, has always far exceeded the gain to be anticipated from a successful civil suit. From

the moment a Contract system, such as that contemplated by the bill lately introduced by the Indian Legislature, but which the Secretary of State vetoed, is made law, the *free* labourer is reduced to a state of *bondage;* and such complications are certain to arise where legislators address themselves to surface sores, instead of to the deep-seated disease of which they are but the offspring.

The most approved plan—that which has been attended with so much success in Australia and New Zealand, is that called the Wakefield system, in which the sale proceeds of unoccupied land are formed into a fund to defray partially, or in full, the expenses of emigration. But this excellent system, by which it seems possible to create a sympathy, as it were, between the surplus of one country and the deficiency of another, and thus maintain a continuous and ever increasing stream of the overflow of population to those places where there is a superabundance of land ready to absorb it, would seem to have been unknown, or altogether set aside in Bengal. It is singularly to be regretted that this very serious question, involving as it does considerations of the highest national importance, was not, from the commencement, treated philosophically: and taking into account the great increase to our knowledge of the true principles of colonization within the last quarter of a century, it seems almost incomprehensible, that, with such very willing helps as the tea planters of Assam and Cachar, no attempt

whatever should have been made to take advantage of the opportunity to put them into practice.

But it would answer no useful purpose to pursue inquiries after the day for them has gone by. The Planters have suffered; the coolies have died; a dynasty has passed away; another has succeeded.

There is yet, however, a phase of this case, which viewed from an Imperial point, is perhaps of greater importance than that yet noticed. I have already explained the condition of India to be that of a mighty peninsula, larger than England, France, Spain, and Germany put together, having a moderate population, but so unequally distributed as to be congested in some places, while others are waste and unoccupied. The Indian question which has occupied the greatest attention in England for the last few years, has been the reclamation of these wastes, and the Indian Government and Her Majesty's Ministers have declared themselves to be so deeply interested in the result, as to be prepared to make great sacrifices to accomplish it. Now for the attainment of this much desired end, two things are vitally necessary. *Population* and *Capital;* but primarily population. In these *two* then consists the real *wealth* of India; and of the *two* population is the *most* valuable, for without labour, in this matter, Capital is as it were locked up and useless. Now it was known that Capital in India is scarce. Government, therefore, has used its best endeavours to induce Englishmen to bring this desideratum into

the country, and in the Tea Districts of Lower Bengal, its exertions have been attended with considerable success. Regarding population there has been much misconception in England. But it has been shown that, in proportion to the area, it is very much below the average of populous European countries. Capital then being secured, the point it appears to me, to which the most serious attention should have been directed, was the leading of the overflow of those districts in which population is excessive, into those for the reclamation of which their labour was required. But this point does not seem to have been considered. Advertisements for years have filled the official Gazettes informing the public that Government was prepared to give away land for nothing, or next to nothing; and some astonishment, I believe, has been felt that no one has come forward to take it. As well, in my humble opinion, might a proclamation be issued informing hungry Highlanders that breeches were to be had in the Sandwich Islands for sixpence a pair, and that all who chose to go there might buy them and wear them. It is notorious that the peasant-proprietors of Hindostan proper are groaning under an iniquitous system of advances, *because* they have not the means of cultivating the little holdings around their own homesteads, and to expect those who are *poorer* still to find means to migrate, and then funds for a year's support to enable them to settle, does not appear much wiser. But it is argued that no such

expectation is entertained—that it is the business of capitalists and speculators to provide means for *these* wants, as well as for all others of their position. Now, if out of deference to the argument, we admit the correctness of this view, and consider the question as one simply of *labour* and *capital*, it cannot be denied that the admitted object of Government being to reclaim these wastes, it is a part of its *business* to co-operate, at least, in transporting *labour* to where *capital*, on its invitation, has been accumulated for the purpose, but which, for the want of it, is unemployed. Again, since it has been shown that the labour of the whole of India, as compared with its area, is short of the average of European countries, that it would be *politic* to endeavour to prevent the labour that is wanting in India, being diverted to other countries, will I think be conceded. In this view, then, were the Indian Legislature to pass an Act prohibiting foreign emigration, it would only be following a course that would doubtless be adopted by most European Governments under similar circumstances. But such is not necessary here. Since the passing of the Act of 1839, "the general law has recognized it as a penal offence to contract with any native of India for labour in a colony beyond Seas, or to aid any native of India in emigrating for employment as a labourer." And since the expenditure sanctioned for Public Works this year reaches the enormous sum of £12,000,000, and the Secretary of

State has admitted that the whole of this amount cannot be laid out, because *labour* is not forthcoming for the purpose, the present would not seem to be the most favourable time for initiating a change of this policy. Those, therefore, who have the interest of India at heart, cannot but observe with deep concern the recurrence of treaties with foreign powers entered into by Her Majesty's Government, to deprive India of that which she cannot spare—of that the want of which, it is now admitted, retards her own progress. The philanthropic policy of the British Government in regard to the Slave Trade, in the steady pursuance of which England still spends millions of money, must be the admiration of the World, for all ages to come. But it is questionable how far it will be considered admissible, or how far it is the intention of Her Majesty's Ministers to sacrifice the best interests of India to a question of British policy, after it has been acknowledged that the labouring population is below the wants of the Country itself.

It is argued by some persons in this Country, that any interference with these treaties would be objectionable as opposed to the full freedom which ought to be given to every man living under British Rule, to carry his labour to the best market. But this idea seems to have originated rather in a misconception of the true principle involved, and a fear of being wrecked among the rocks and shallows of *protection*, than from any desire to support

a policy that must prove detrimental to the interests of the Country. As long, however, as *protection* is the recognised policy of Government in its *Home* Department, and these treaties require special Acts to over ride the Law of the Land, such arguments in relation to treaties with foreign powers, must appear a little whimsical. To concede to the natives of India, the freedom of carrying their labour to any market they please in *one* thing,—and to concede to foreign powers the right to send agents into your territories to entice away the labour which your own country requires for reclaiming culturable waste land, making railways, building barracks, and other public works, is quite *another*. The *one* is a right the natives enjoy, or ought to enjoy, in virtue of their own subjection to British rule. The *other* is a right I have yet to learn that any nation on the face of the globe has thought proper to concede to foreigners. The *one* right involves a principle which is an important element of the British Constitution. The *other* a principle which, if carried to the extreme limit, would place all poor countries at the mercy of the rich—possibly depopulate many.

I have repeatedly in the course of this review had occasion to dwell on the fact that the natives of India are in a state of *infancy*, and consequently in need of *protection*,—not in the sense in which that term is opposed to *free trade;* but in the sense in which the Law applies it to persons under age. In the present condition of things, however strict emigra-

tion Rules and Regulations may be framed, it is wholly impossible for Government to provide against poor people being enticed from their homes under delusions, the falsity of which cannot be made apparent until the victims are beyond seas, and the reach of help. I have no hesitation in saying that many if not all the evils above commented on in regard to Coolie immigration to Assam, exist, though possibly in a milder form, in the present system of emigration to British and foreign colonies. The Government of India has no information of the emigrants, after they leave the shores of India, neither *en route* to their destination, nor when they reach it; and there is too much reason to believe that, in some instances, the mortality on the voyage is excessive, and that the climate, and the work the Coolies are put to, causes a very large proportion to be 'expended.'* In these circumstances, I have very grave doubts how far, from a moral point of view, the British Government is justified in permitting its subjects to be removed from under the ægis of its protection, until such times as they are of full age, without some better guarantees than at present seem to exist, that in doing so it is not violating the very principle it has sacrificed so much to uphold. The Government

*. The climate of the French Colony of Re-union is considered fatal to Africans, and Dr. Mouat, an advocate for emigration both to Re-union and Mauritius, thinks, that if the mortuary returns are correct, the climate is not much more adapted for Asiatics than for Africans. He states the number necessary to supply the full wants of the Island at 50,000.

of India in this matter is helpless. The Government of Great Britain concludes a treaty, and forthwith the Governor-General is ordered to pass an Act to carry out its provisions. Such an Act has lately been passed by the Legislative Council of the Governor-General, to legalize the emigration of native labour to the Danish Colony of St. Croix; and it is to be hoped that the very interesting debate on that measure, will attract such attention in England, as will at once cause an end to be put to the conclusion of treaties with foreign powers to deprive India of her most precious wealth.

I conceive India to be under the deepest obligations to my esteemed friend the Hon'ble. Mr. Ellis, the Member of Council for Madras, for the able, lucid, and fearless manner in which he laid this matter in all its bearings before the Legislative Council;—"In reality," said Mr. Ellis, "the future progress of India, speaking not of particular portions of the country, but, of the Empire generally, ran a serious risk of being interrupted and delayed, by the want of a sufficient population. This deficiency of labour was likely to retard an object in which His Lordship's predecessor in the Government of this country, and the English public generally, had shown so great an interest, the reclaiming of the vast tracts of jungle and waste land, and the application of the soil of English capital under the superintendence of English settlers. When he reflected upon the vast extent of Railways still remaining

incomplete; the tramways, feeders, and roads required to bring the great lines of Railway into profitable operation; and the vast works of irrigation which were being undertaken with the object of fertilizing and enriching the country; when they knew that all these great enterprises were not looming in the distance, but were already in progress, he (Mr. Ellis) confessed that he thought they should view any increase in the number of emigrants, and any measures which, like the present Bill, have a tendency to encourage emigration, as matters of regret, and as a serious evil."

It is extremely refreshing to find a tone so healthy pervading the debates of a Council the members of which at one time it was thought were doomed to be dummies. From such constitutional proceedings as this debate records, evincing as they do respect for the wishes of the Supreme Authority, with an honourable and conscientious resolve faithfully to discharge the sacred trust with which members are invested, the public can augur nothing but the strengthening of the power of the Executive, and the welfare of the country. It will remain for Her Majesty's Government to decide the points which seem to be disputed in India—*viz.*, whether the direction of future legislation in regard to the population of India, is to be for the benefit of India herself, or for the benefit of British and foreign Colonies—and whether the existing anomaly shall continue, of the Indian labourer being prohibited by

law from the freedom of carrying his labour where he pleases, and foreign agents being permitted to come and lure him to a distant land byond Seas, when he might obtain all that he requires in his own country, within reasonable distance of his home, and under the protective laws of his own Government. If still anxious to reclaim the great wastes of India, it will be for both Governments, in concert, to consider what arrangements, if any, can be made that will facilitate the removal of a labouring population from over-crowded districts to those where European Capitalists are ready to employ it. And when we reflect that it has been satisfactorily established, that some of those districts which are now unpopulated, are admirably adapted for the growth of the best descriptions of cotton, the want of which has reduced so many huudred thousands, if not millions of our own countrymen, to a state bordering on starvation, the question is one that ought to have special interest for the people of England.

The physical obstacles in the way of establishing a communication between the North Eastern Frontier of India, and the territories of the King of Burmah, are doubtless very great; but if the Burmese could march an army into the province, devastate it, and drive before them into Burmah 30,000 captives, with their cattle and household goods, to the British Government these obstacles cannot be insurmountable. Now, moreover, since by the late commercial treaty, political difficulties are

in some degree removed, the hostility of the Singphoos and other Hill tribes, can hardly be considered a valid ground for objecting to attempt this highly important measure. Our Burmese territories almost border the most populous country in the whole World; a country in which—notwithstanding an unequal struggle has long been maintained between the laws of Man, and the laws of Nature, to restrain the over-flow of population from streaming out of it—the people are daily seeking new outlets for their energy and industry. In Pegu, we have 28,000 *square miles* of uncultivated land, a great portion of which has been pronounced to be equal to any cotton land in India; and these circumstances, to my mind, indicate that there are Acts left for the Legislature of India to pass, that would tend more to the advancement of the interests of both England and this Country, than Acts to legalize the abstraction of India's labouring population. Nor in holding this opinion am I altogether singular. Within the last few months a proposition has come up from the Chief Commissioner of British Burmah to sanction an expenditure of some £10,000, or £12,000 for the purpose of inaugurating a system of immigration from China. But it has not, I am sorry to say, met with the approval of the Supreme Government.

It must be borne in mind, however, that the great question of the development of India's wealth, has not hitherto been fairly looked at from all points. The actual relationship between the great elements

of prosperity—Land, Labour, and Capital—has not been accurately apprehended. Regarding land there could be no mistake. Vast tracts were there. Capital, people were not quite so certain about. It might be there; but if so, it was locked up—hoarded. In the matter of population, however, there were no doubts whatever. *Every body* firmly believed it to be excessive. But it appears that on the attempt being made to reclaim *one*, out of the many provinces of this great peninsula in which large tracts are waste, the failure was not in that element regarding which people had fears—*Capital;* but in that in which people least expected it—*Population*. This now is known and admitted; and it may be hoped that with the light of this new knowledge, the question will be differently viewed, and that if invitations be still held out to English capitalists to bring or send their money into India, *some* endeavour will be made to aid them in obtaining the means of making use of it. If not, capitalists will decline the offers made, and the solution of the problem must be left to time and circumstances.*

That it is the *duty* of a Government, with population excessive in some parts, and large tracts of rich land unpopulated in others, to take some measures to *encourage* the transfer of the surplus population

* This result has unhappily now been brought about. The Capitalists who had come into the Province to reclaim it, are rapidly abandoning it, and the land they had reclaimed is relapsing into jungle.—January, 1867.

to the surplus land, no reasonable being will deny. In older and richer countries, in which the people are more active, intelligent, and enterprising than the people of India,—in short in self-governing countries, a Government has little more to do than to advertise land, the *poor* people very soon find their way to it. Here it is different. Advertisements are so much waste paper. The people who are wanting, cannot read or understand them. If they could, they would not believe them. Or if they did, they have not the means to avail themselves of the advantages they hold out.

CHAPTER VII.

OF THE ENORMOUS WEALTH OF INDIA, AND THE ABSENCE OF CAPITAL AVAILABLE FOR WORKS OF PUBLIC OR PRIVATE ENTERPRISE.

In treating of the rates of *interest* for money prevailing in India, I have said sufficient to show that the popular notion of the riches of the East is very erroneous. When any commodity is to be obtained in abundance, it is always cheap. Thus, though we can conceive situations in which air and water, would be worth more than gold and precious stones, ordinarily they have no value in exchange. If, therefore, money in India, as has been shown, is dear, it is a sure indication that it is scarce. Much may be—indeed is hoarded; but taking into consideration the extent, and the natural and productive richness of the country, the amount of the precious metals withdrawn from circulation is not such as to vitiate any general conclusions, drawn from circumstances as we find them existing around us.

We have no means of making even an approximate estimate of the Capital of the whole country, nor yet of ascertaining, with any approach to accuracy, the condition of any section of the upper classes of the people. We must, therefore, rest content with generalities, which however, will fully suffice for the

purpose. From the days of the Phœnicians, the wealth of India has been proverbial. Nor can there be any doubt that India *is* an extremely rich country. From time immemorial, streams of gold, brocades, precious stones, muslins, spices, fibres, dyes, &c., &c., have been flowing from India to Europe, which have enriched the merchants of Venice, Genoa, England, and those of other countries through whose hands they passed. There could be no mistake about these things. People saw them. Persons again who came to India, beheld mighty Kings and Princes, clothed in rich garments glittering with precious stones, living in all the pomp and splendour of Oriental state. All this indicated immense riches. Yet the *people* were very poor. They had *no* Capital. The country was in short, at once, the *richest*, and the people the *poorest* on the face of the Earth. How shall we explain the paradox—how reconcile the existence of immense wealth, with the absence of any Capital? Nothing is easier. All Capital is the result of saving. In India, one class excepted, from the highest to the lowest, no one saves. All spend—often more than they can call their own. The King who bestows largesses with an open hand and dies in debt, is lauded in prose and verse as a noble and generous monarch. The King who departs this life leaving a full Treasury, is satirized as a mean spirited miser. And the voice of the Nation oncurs in the verdicts of these poets laureate. The oneclass alluded to are the *Mahajan* and *Bunneea*,

or banker and grain dealer class, whose business it is to supply the wants of others—to live and grow fat on the necessities of the remainder of the community. For the rest in India, every one spends what he produces, or what is produced for him; and as such a state of things is inconsistent with the existence of Capital, that there is much wealth, but no Capital, in India, is not at all surprising.

But in the midst of so much wealth how is it that the great body of the people are so miserably poor? This would seem to be more difficult of explanation, but it is not so. In India the system on which society is regulated is peculiar. There is a despotism, an Oriental despotism about it, which percolates through all ranks of society from the highest downward, which is not readily understood in Europe. Kings *prey* upon the whole community, the Governors of provinces *prey* upon the people of the provinces over which they rule; the great landholders *prey* upon the landlords; and the landlords *prey* upon the ryots. Kings having a large number of persons to *prey* upon, are rich; and in their persons is represented the greatest portion of the surplus wealth of the Nation. Governors, petty Rajahs, Nawabs, great landlords, &c., for the same reason, are rich and well to do. But the unfortunate ryots, preyed upon by every one, have no one on whom in turn to prey, and are therefore very poor,—so poor that they are left nothing beyond the bare means of subsistence,—nothing even to pay the cost of culti-

vating their little farms. Hence the necessity for the system of *advances*, against the iniquity of which so much is said and written, by people who understand very little about it. Nor do I allude solely to English writers; but to many in India, whose knowledge while only surface deep, is often taken in England for very much more than it is worth. The system of *advances*, so much railed at in England and India, is simply a *necessity* arising out of the extreme poverty of the people, and its only cure lies in such a settlement of the land tenure, as *ensuring* to the actual cultivators of the soil, a larger share of the profits resulting from their own industry, will enable them, after providing themselves with the necessaries of life, to call their crops, at least, their own. The sale of land in fee-simple to *ignorant and unenlightened* landlords will not effect this. Nor yet the redemption of the land revenue. A perpetual settlement will be equally impotent to accomplish the end. It has not accomplished it in Bengal. On the contrary, the ryots are admitted to be in an extremely depressed condition. Before much benefit can result from any improvement in the land tenure of the country, landlords must be better educated, and cultivators more intelligent than at present. The former must learn that the ryots, as the source of their wealth, must be solicitously cared for, and that some better and more profitable use may be made of their accumulated savings, than squandering them in personal luxuries,

marriage ceremonies, and barbarous festivals. The ryot too must understand, and be placed in a position to prove, that his thews and sinews, are not merely a means of maintaining his existence; but the means of enabling him to live in a certain degree of comfort, and to bring up his children to industrious and useful callings. Until this happy state of things is brought about, India will be dependent, in a great measure, for her advancement on English capital, for at present, with all her riches—with all her productive wealth, India is so poor, that the whole of her accumulated savings, as compared with her population and immense extent of area, is but a drop, as it were, in the Ocean of the Capital of the World.

Formerly Governments in India were not allowed to invest their savings in land; but Lord Canning and Sir Bartle Frere obtained a concession in favour of civil officers beyond the limits of their own Presidency; in favour of military men all over India. Had the Government of India been unable to procure a modification of the Secretary of State's first decision, the fine field for Tea, Chinchona, Silk, Hop cultivation, Iron works, &c. &c., opened up in the Himaylayan ranges, must have remained unoccupied for many years; for, it having been determined that Government will not work these undertakings on its own account to a profitable result, the information required by English capitalists before they will invest their money in speculations in the remote East,

could not have been obtained. Natives, except the class before alluded to, do not save; and besides the savings of the Government civil and military Services, there is no Capital in the North Western Provinces of India, available for investment in undertakings for the development of the resources of the country. Lord Canning, when he advocated the cause of the independence of the Services, in regard to the employment of their private means, was possibly aware of this fact; but in the official documents I have seen on the subject, this point is not dwelt on. When we consider, however, the peculiarity of our position in India, it comes to be a matter of considerable importance to take advantage of every possible means to compensate for the drain on the Capital of the country that it necessitates. The Home charges now amount to no less a sum than nine millions sterling,—hard Rupees, which are withdrawn from India, to be expended in England. Last year, it is true, that this amount, or nearly so, being required for Railway expenditure, it was simply transferred on paper; yet had it not been required, an equal amount of Railway Capital must have been sent into India. But taking the annual Home charges for salaries, pensions, payment of troops, &c., at four millions sterling, it is clear that during the current century, an amount of capital, not less than £248,000,000, has been collected from the ryots of India, and spent in England. We have to add, moreover, to this very large sum, the amount

represented by the accumulated savings of all the civil, military, and other servants of Government, the wealthy merchants, tradesmen, planters, barristers and Englishmen of all grades, who come to India to make money,—not to spend in the country, but to take out of it. The influx of capital thus acquired and saved in India, has already had an appreciable effect throughout Scotland. Tyburnia, or the Asia Minor of London, shows outward and visible signs of having benefited by India's capital. The Cape of Good Hope, on the other hand, has severely felt the withdrawal of the annual increase to its wealth, by the alterations in the furlough regulations, which, depriving the Indian services of the privileges in regard to pay and service they enjoyed when on leave in the Eastern Seas, induces them to spend their leaves in Europe. We have no means of obtaining even an approximate idea of the amount annually withdrawn from India and spent in Great Britain and other places by our migrating European population. But, taking all things into consideration, if we set down the whole amount, including the Home charges, for the present century at £300,000,000, we shall probably not very much over estimate it. It may be argued that if Englishmen had not come to India, much of this capital never would have been created, and the trade returns satisfactorily prove the truth of the argument. But the question is not whether capital has, or has not been created by the English in India; but whether

the wealth of the nation has been proportionately increased,—whether the capital that has been created, has gone to enrich the country—and if it be admitted that some of it *has*, it cannot be denied that much of it has *not*. When therefore, it is apparent that the circumstances of our position necessitate so large a portion of what may legitimately be called the capital of India, being spent in other countries, it obviously becomes a question of some moment, not only to encourage the introduction of *foreign* capital into India; but to take every legitimate precaution to prevent *native* capital, that might be retained in the country, from being taken out of it.

I have mentioned above, that it is of the essence of colonisation that emigrants *take root* in the new soil. Now there are serious and insurmountable obstacles against colonising India; yet something may be done, and the first and most essential step in that direction, is the granting permission to the European employés of Government to acquire landed or real property. The persons to whom we would most naturally look to settle in India, and from whose settlement, India would undoubtedly derive the greatest benefit, are those who, by long residence have acquired a knowledge of the country, and an acquaintance with the religions, laws, habits, and languages of the people—gentlemen of high standing, integrity, and principle, who would treat the people well, and to whom the people were accustomed to look up.

Such certainly are the military and civil servants of Government; and these servants, and this country, are under the greatest obligations to our late deeply lamented Viceroy, for the consistency and zeal with which he advocated the policy of allowing the former to acquire property in the soil. In regard to Military Officers there seemed neither reason nor justice in maintaining a restriction of the kind, for after the transfer of India to the Crown, Military Officers serving in India, should naturally preserve the privileges as British subjects they enjoy elsewhere. In regard to Civil Officers too, there seemed some slight inconsistency in the prohibition. All over the world, it is especially land-holders, as those most deeply interested in the maintenance of order, that Governments endeavour to enlist in the magistracy and other similar departments of the Service of the State. Lord Canning had long been of opinion that it was a serious defect in our Indian system, that it did not admit of such Zemindars as the Raja of Burdwan, and other less wealthy land-holders, in some way taking part in the Government of the Country; and as a beginning he invested certain *talooqah-dars* in Oude and the Punjab, with magisterial powers. In the spirit of this policy, also, the Secretary of State added native Members, large landed proprietors, to the Council of the Governor-General. It was distinctly ordered, again, that the restrictions regarding the holding of property in the soil, were not to be made applicable to the native and uncovenanted, but

only to the European and covenanted civil servants of Government. Lately, moreover, especially in Bengal, a considerable number of Indigo planters and other European developers have been made honorary Magistrates, for the districts in which their properties are situated. It would seem, then, as if Government was endeavouring on the one hand, to make landed proprietors Magistrates,—and on the other, to prevent Magistrates from becoming landed proprietors. The object of such a policy is not very intelligible. True, it is advanced that in a country where litigation between ryots and landlords, is so rife, as in India, it would not be safe to permit Magistrates and Collectors to acquire property that might involve the necessity of their trying suits, in which they themselves would be interested parties. But surely it would be a libel on the high and honourable Civil Service of India, to declare its Members less trustworthy than their uncovenanted fellow servants; and from this point of view, no other conclusion can follow. The fact, however, is, that there *is* an objection to Civil Servants holding land in the districts in which they may be employed; but it is not this, and has no reference whatever to their integrity, which, as a rule, is undoubted. The objection lies in the moral condition of the people, and is equally applicable, if not more so, to Natives, and uncovenanted officers as to European and covenanted servants. However high the character of the Collector, Magistrate, Deputy-Magistrate, or Assistant,

native or European, may be, no native suitor will dream of bringing any suit into Court, in which the presiding authority is supposed to have the slightest personal interest. No amount of argument—no number of examples, will convince a native, that a judge, under any circumstances, *could* decide a case contrary to his *bias,* much less his personal interest. This certainly is a serious—perhaps a fatal objection to Civil Servants holding property which is liable to be the subject of dispute in courts over which they preside; but it is plain that it applies equally to covenanted and uncovenanted, European and Native Servants. Its cure lies, like that of many others to which India is heir, in *education,* especially female education; and until education has done its work, existing restrictions can hardly be removed. The objection, it is true, applies only to the district in which a civil Officer is employed; but, as the service is at present constituted, it never would do to hamper the Government, as to the employment of its civil Servants in whatever part of a presidency their services may be most required.

At the same time, looking at the question from the Capital, and many other points of view, it seems to me, that it is extremely desirable to encourage by all legitimate means, the acquirement of property in the soil, by both military and civil Servants in India; and to attain the desired end, that property must be acquired while they are in the service of Government,—not when they have left it. Men

while so situated may invest their savings in agricultural and other speculations, and when they have made sufficient progress to be enabled to *see their way*, they may retire from the service of Government, with the view of settling on their estates and managing them. But, should they be prohibited from investing their savings in this manner, they will not retire until they have secured such a competency as will enable them to bid good-bye to India, and live in their native land. This has been the rule hitherto; and the result has been England's gain, but India's loss. Under any circumstances, the number that would elect for India, would probably not be excessive; but it is but justice to India to give the country a fair chance.

It ought not to be forgotten, moreover, in the scramble for Indian loaves and fishes which seems to be commencing, that the holders of property, and especially of property in the soil of any country, have certain responsibilities to discharge in regard to that country, which it is the duty of Government to control; and that one of the first of these is *residence*. A man may have landed property in half a dozen countries. He can reside, at the same time, however, only in one. Residence, therefore, can, with difficulty, be made a compulsory condition to the acquirement of landed property. Non-residence, nevertheless, may be accompanied by certain restrictions that will place the resident on somewhat better terms than the non-resident; and this would seem

to be only fair. A very great outcry was raised against what was called the double income Tax on Indian Government security. Yet nothing, in my judgment, could be more equitable; for, if an Absentee tax is good for Ireland, I cannot see why some such provision should not be good for India also. Very large fortunes are being made by persons engaged in tea cultivation in India; and I should be very glad to make one of these fortunes myself. Now if I make this fortune, and spend it in India, I benefit India—I help to enrich her, *first* by my outlay, and *second* by the expenditure of my profits. But if it is my pleasure to enrich some other country with the fortune which I derive from India, I do not see why I, or why any other man similarly situated, should not be made to pay *something* for the luxury of living abroad.

With the exception of an inappreciable quantity, the entire of the teas grown in India, are shipped for the London market; and as the duty on every lb. of tea sold there is 1*s* 5*d*, the gain to the revenues of England next year, from Indian teas, will exceed £200,000. But tea in India, as mentioned, is yet in its infancy. A very few thousands, only, out of the millions of acres that will grow tea, are now under plant. The cultivation will certainly extend rapidly. Every year will add enormously to the quantity of seed available for new plantations, and the application of machinery to many of the operations of manufacture, will aid in supplementing the

efforts we may expect to see Government making to increase the supply of labour. Without being over-sanguine we may anticipate that within the next twenty years, the quantity of tea exported from India for the London market, will not fall short of 30,000,000 lbs., which, if the duty be reduced to one shilling, as it *must* be, will still represent of the revenues of England no less a sum than £1,500,000.* The profits on this quantity of tea will be £1,500,000; and the working expenses will not fall short of £750,000. Two-thirds of the profits, or £1,000,000. will probably go to increase the capital of England; and one third, with the *whole* of the working expenses, or £1,250,000, that of India, thus, in this respect, making a tolerably fair division of benefits. Every *acre* of ground put under tea in India, now adds £25 to the revenues of England. Nor need the objection be raised that the quantity of tea shipped from China, will be reduced by the quantity shipped from India. It is an established fact in economy, that Supply influences Demand, and the capacity of the World to consume Tea, appears to be so enormous, and to be increasing so rapidly, that there seems little doubt, that by a slight reduction in duty, it may be multiplied almost *ad libitum*. By the reduction of the prohibitive duties prior to 1784, the

* In England the duty has been reduced from 1*s* 5*d* to 6*d*; but in India nothing has been done to ameliorate the condition of the labour market, so the picture here drawn looks very like a *Chateau en Espagne*.—January, 1867.

quantity of tea consumed in Great Britain, was *trebled* in *two* years. In 1783 the quantity of tea sold at the East India Company's sales, amounted to 5,157,883 lbs. In 1785, it reached 17,307,433 lbs. The quantity of tea imported into Great Britain, in 1833, was 32,057,832 lbs., and in 1858, it was 75,432,578 lbs.* I have not got the Trade Returns of last year, but from the circulars of Messrs. W. J. & H. Thompson for the months of the first half of the year, we have data to assume, that the quantity of tea imported into Great Britain in 1862, was very little short of 100,000,000 lbs. ! ! †

To say nothing of the possibility of an interruption of the trade with China, these results show how deeply concerned both India and England are, or ought to be, in the subject of this Review; and it is to be hoped that the Governments of both Nations will see the necessity of acting in concert for the advancement of a cultivation which may confer such solid benefits on both countries. Let them carefully examine existing rules regarding waste lands, immigration regulations, &c., and deliberately consider how they may be best modified so as to give those desirous of investing their money in tea, if *no favour*, at least a *fair field*. If I may be the exponent of their views, I would venture to say that they want —*no more*.

* The quantity of tea re-exported was, in 1833—254,460lbs., and in 1858—7,249,276lbs.

† America before the present disunion, consumed about 35,000,000 lbs. of tea.

Nor must it be supposed by Englishmen anxious to seek their fortunes in foreign lands, that the tea districts of India, if more profitable, are less attractive than many other parts of the world to which emigrants are daily flocking. Assam, it is true, was once thought to be so wild and unhealthy a province, that when troops were sent there the European officers were permitted to draw extra allowances. But those days have passed. Much of the jungle with which, for want of population, it was covered, is cleared away, and the province is now found to be not only very much cooler, but very much healthier than many parts of India. The noblest river in India, the Bramahputra, flows through the Valley, which is enclosed, on two sides, with hills, and on these hills, ere long, will be established pleasant Sanataria. The Scenery of some parts of this fine province moreover is picturesque and beautiful, while the soil is unsurpassed in fertility by the soil of any country in the world. For the profitable cultivation of tea, no district in India can be placed before Assam.

But should a cold climate be preferred, there are many from which to select:—Darjeeling, overlooked by the towering and snow-capped peaks of Mount Everest and Chinchinjunga, the loftiest mountains in the world; the charming, salubrious, and fertile valleys of Kamaon; or the pleasant and milder Doon of Deyrah. More westerly still, are Simla and Hazarah; but far before all the tea districts of India

in the grandeur of its scenery and the picturesque loveliness of its situation, is the valley of Kangra. Many consider this valley more beautiful even than Cashmere, and I cannot better conclude this hurried and imperfect Review, than by the following extracts from the official report of Mr. G. Carnac Barnes, B.C.S., on the settlement of this part of the country, in which he has sketched, at once so graphically and so faithfully, the noble features of this 'Happy Valley,' that I make no apology for the space I allot to his interesting remarks.

INTRODUCTION.

"The District of Kot Kangra, with nominal exceptions, comprises all the Hill Territory belonging to the British Government, situated between the Rivers Ravee and Sutlej. It extends from Shahpore, near the Ravee on the West, in Lat. 32° 30′, Long. 75° 45′, to the borders of Chinese Tartary in Lat. 32°, Long. 78° 10′. The Northern extremity touches upon Ladakh, and the Southern limits of the district rest upon the plains of the Baree and Julundhur Doabs."

ENTIRE DISTRICT.

"The area contained within these general confines can only be conjectured, since a great portion has not been, and may never be, surveyed. The entire space may be roughly estimated at 8,000 square miles. Three of the Punjab Rivers, the Beas, the

Ravee, and the Chenab, take their rise within this tract. Various races of men belonging to distinct types of the human family, and speaking different languages, are distributed over its surface. Here are Hills just raised above the level of the plain, and mountain crests higher than any peak of the Andes. Every zone of climate and variety of vegetation is here to be met with, from the scorching heat and exuberant growth of the tropics, to barren heights destitute of verdure, and capped with perpetual snow."

PARALLEL RANGES.

"Kangra consists of a series of parallel ranges, divided by longitudinal Valleys, the general direction of which, from North-west to South-east, have determined the shape of the District. These ridges and valleys increase gradually in elevation as they recede from the plains, and approach the snowy barrier which forms the Northern Boundary. The characteristic features of Hill and Valley are best defined where nearest the plains. Thus, the border chain, which separates the level tracts of the Doab from the Hills, run in an uniform course from Hajeepore on the Beas, to Roopur on the Banks of the Sutlej. The Valley which it incloses, known as the "Juswun Doon," preserves the same regular simplicity, and stretches in one unbroken parallel to the same extremes. But the further we penetrate into the interior of this mountain system, the less these

distinctive lineaments are maintained. Hills dissolve into gentle slopes, and platforms of table land and valleys become convulsed and upheaved, so as no longer to be distinguished from the ridges which environ them."

THE CHUMBA OR SNOWY RANGE.

"The colossal range of mountains which bounds Kangra to the North, deserves more than this passing description. Although the direction of this range is in general conformity to that of the lower hills, yet the altitude is so vastly superior, and the structure so distinct, as to require a separate notice. In other parts of the Himalaya, the effect of the snowy mountains is softened, if not injured, by intermediate ranges, and the mind is gradually prepared by a rising succession of hills, for the stupendous heights which terminate the scene. But in Kangra there is nothing to intercept the view. The lower hills appear, by comparison, like ripples on the surface of the sea,—and the eye rests, uninterrupted, on a chain of mountains which attain an absolute elevation of 13,000 feet above the valleys spread out at their base."

"I know no spot in the Himalaya, which for beauty or grandeur, can compete with the Kangra valley, and these over-shadowing hills. No scenery, in my opinion, presents such sublime and delightful contrasts. Below lies the plain, a picture of rural loveliness and repose. The surface is covered with

the richest cultivation, irrigated by streams which descend from perennial snows, and interspersed with homesteads buried in the midst of groves and fruit trees. Turning from this scene of peaceful beauty, the stern and majestic hills confront us. Their sides are furrowed with precipitous water-courses. Forests of Oak clothe their flanks, and higher up give place to gloomy and funereal pines. Above all, are wastes of snow or pyramidal masses of granite too perpendicular for the snow to rest on."

GENERAL APPEARANCE.

"These Valleys by no means present a general evenness of surface. Their contour is pleasantly broken by transverse ridges and numerous streams which descend from the mountains above. A hundred canals, filled with clear water, intersect the area in all directions, and convey the blessings of irrigation to every field. Trees and plants of opposite zones are here intermingled, and Alpine vegetation contends for pre-eminence with the growth of the tropics. The Bamboo, the peepul and the mangoe, attain a luxuriance not excelled in Bengal, while firs and dwarf oaks, the cherry, the barberry, and the dog-rose, flourish in their immediate vicinity. Among cereal productions, rice and maize alternate with wheat, linseed, and barley: and three-fifths of the soil yield double crops in the course of the year. The dwellings of the people are seldom grouped together, but lie sprinkled in isolated spots over the

whole Valley. Every house is encircled by a hedge of bamboos, fruit trees, and other timber useful for domestic wants. Sometimes a cluster of five or six houses occurs, and here a grain-dealer's shop and extensive groves denote the head-quarters of the town-ship. These scattered homesteads, the pictures of sylvan elegance and comfort, relieve the monotonous expanse of cultivation, and lend an additional charm to the landscape."

CONCLUDING DESCRIPTION.

"There are mountainous masses still undescribed, which it is difficult to bring under either of the broad distinctions of ridge or Valley. If they fall under either definition they should properly be classed as valleys, although in shape and aspect they more resemble hills. Besides being contained within the parallel chains, and on the area that would be occupied by the valley, they belong to a later formation. Instead of the secondary sandstone we have a clay soil, and rounded pebbles mixed with conglomerate rocks. Such for instance are the low alluvial eminences which constitute the Talooquas of Burgiraon, Teera, Muhul Loree, and that portion of Rajgeeree south of the river Beas. An English traveller, Mr. Vigne, passing through the hills of Muhul Moree, compared them, not inaptly, to an agitated Sea suddenly arrested and fixed into stone. The crests are like angry waves succeeding one another in tumultuous array, and assuming the most fantastic forms. Viewed from a

distance when the tops alone are visible, these hills have a bleak and barren aspect. Their sides are often bare and precipitous, and it is a peculiarity of the tract that it is entirely destitute of forest trees. Not a hut is to be seen, not a single field to relieve and gladden the eye. Approach nearer, and how sudden and agreeable the surprise! Between the dreary hills, are romantic glades and hollows, resonant with the busy hum of men and the lowing of cattle. Cottages nestle under the hill side, and the corn waves luxuriantly, protected from the winds that desolate the heights above."

"Such are the prominent features of this interesting region. I am conscious of many and serious defects of description, but so general a sketch must needs be imperfect: and to do fully justice to the endless variety of scene would require a far abler and more imaginative pen than mine."

APPENDIX.

Extract of a letter to a gentleman in Calcutta interested in Foreign and Colonial Emigration.

"I HAVE read, with much attention, the papers on Colonial emigration you placed in my hands, and though they have helped to perfect my knowledge on many points, and show that much care is taken to insure the comfort and wellbeing of the emigrants, they have not induced me to alter the opinions I previously entertained, regarding this deeply interesting and highly important subject. I would not in any way be understood to advocate the imposition of any restrictions on the freedom of *labour*. His labour is all the *poor* man has to bring to market, and any interference with his free and unrestricted liberty to carry that, to where he can dispose of it to the best advantage, while the wealthy merchant may take his goods, without let or hindrance, to any market in the world, would not only be economically a retrograde and false step, at variance with those sound principles which have regulated the policy of the British Government now for many years, but extremely despotic, if not oppressive. At the same time, it must be borne in mind, that the labour of every country is its most precious wealth, and I conceive, that while recognizing to the full that right of unrestricted freedom in regard to emigration which its subjects, by virtue of its constitution, enjoy, it would be more consistent with the policy of the British Government, to leave the labourer to his own free choice, than to take legislative action with the avowed object of facilitating the entrance of foreigners into this country to entice him out of it, and thus deprive India of that wealth which she most requires.

"The question as regards India, it appears to me, is one, not of *price*, as many suppose, but one purely of *progress;* and the anomaly, is not that while we are crying out for labour in front, we are permitting it to stream out of the country in rear; but that while the law of the land restricts the liberty of the subject in regard to emigration even to British and Indian Colonies (Vide the Act of 1839,) we are daily forging new Acts to legalize the transport of labour to countries over the laws of which we have no control, and in which we cannot consequently guarantee our Indian subjects proper protection;—and that while Colonial and foreign Governments give their developers every possible assistance in obtaining this labour, for three whole years, the late Lieutenant-Governor of Bengal systematically refused to afford the same aid to *Englishmen* engaged in developing the resources of the province he was paid for administering, and maintained that Government had no concern whatever in the matter.

"It is unnecessary that I should allude to the results of this, to me, seemingly mistaken policy. You are well aware that they have been an amount of oppression, cruelty, disease and death it is painful to call to mind.

"It would be ridiculous to argue that the system of Government now maintaining in England, would have been suitable for the people of England two centuries back, and I need not endeavour to demonstrate, that those who would attempt to apply it, in its full integrity, to India in its present stage of development, could hardly expect the happiest results. I know that this is not allowed generally in England, and I am aware that it is only partially admitted in India. Still I conceive that it is only because it is believed that the people of India are not yet sufficiently intelligent and enlightened, to know and understand what is best for their own interests, and with a view to *protect* them from being crimped and kidnapped for the benefit of others, that the law of 1839 prohibiting emigration, is still

retained in the Statute Book. Such, at least, is the conclusion I draw from the tenor of the late debate in the Council of the Governor-General, in which the principle of freedom in labour as in other things, was fully recognized.

"Now I contend that whatever may be the stringency of the laws framed by the Indian Government on the subject of emigration, they will be insufficient to prevent the *coolie* from being lured away, I do not say, *against* his will, but with a very misty and imperfect idea of what is before him. It must not be forgotten that he does not leave the Indian shores a *free man*. He leaves it under the *bondage* of a five years' contract, which, however unsuitable he may find the work he is put to, he is compelled to complete, and a further service of five years, before he can claim a passage back to his native land. Under such a system, view it as you please, emigration must partake in some degree, remote let it be, of the nature of the slave trade. As long as the *coolies* go to a British colony the Indian Government has the satisfaction of knowing, that living under the protection of English laws, their slavery will be of the very mildest form; but in the case of foreign colonies it has no such guarantee.

"From the moment the Government of India considers its Indian subjects to be in a condition to exercise their free will in matters of this kind, the bearings of the case are completely altered. The native of India then, will be as free as the native of Britain. But until that time has come, apart altogether from considerations regarding the wants of this country, I certainly would not advocate the multiplication of treaties, at least with foreign powers, to facilitate the emigration of Indian *coolies*. The Honourable Mr. Eden says that return *coolies* bring back large sums of money—sometimes as much as Rs. 5,000; and Dr. Mitchell of Trinidad, in his letter to Mr. Chamerovzow, states that since the year 1850, 1705 male adults, with their families,

have returned to India from Trinidad, who transmitted earnings through the Colonial treasury amounting to £34,855.' Both statements no doubt are quite true. But, without at all denying that those *coolies* who do return to India, come back in better circumstances than they went, the amount stated by Dr. Mitchell only shows an average of £20 per *family* saved in *nine years* of exile, and such instances as that cited by Mr. Eden, are certainly isolated, and furnish no argument whatever against the principle I uphold, or prove that the same persons would not have made quite as much money in their own country. The late Moti Lal Seal commenced life in Calcutta by selling empty bottles, and died worth a quarter of a million sterling. A door-keeper I dismissed a short time ago, had lent Rs. 500 of his savings to the other servants. I offered a return labourer from Assam last week, £3 a month wages, to take service on a tea plantation in the Hills, and he refused it. I have no doubt whatever, that on plantations in Assam where a fair system of task work is in force, the labourers could save more than half their earnings. But be that as it may, a question so large and so important in its bearing on the interests of civilization, cannot be narrowed to one simply of the profit of a few individuals. It extends far beyond it.

"I freely confess that I am not an advocate for the *encouragement* of emigration in the present circumstances of India; but if it be sound in principle—if it be necessary, desirable, expedient, or politic, that, with infinitely more work in India than the labouring population can do, and higher rates of wages than ever before prevailed, the Government of India should be compelled out of its own scarcity, to supply the wants of foreigners,—by all means let it be: *provided* that the Government of India, at the same time, adopts the course followed by other Governments, and helps its own Country. Let it not look on passively at the property of its own subjects—Englishmen,

who, at its urgent solicitation, put their capital into the soil—perishing, while the labour that could save it, and which they are quite willing to pay for, is streaming out of the country, without stretching out a finger to help them.

"The Planters asked the Government of Bengal, to do nothing for the provinces of Assam and Cachar, that the Governments of France, Denmark, and those of Her Majesty's Colonies who import *coolies*, do not consider it their bounden duty to do for the Colonies for which they require labour. They asked the Government of Bengal to establish an immigration agency, with the necessary machinery of a Protectorate, Medical Examiner, &c., all the expenses of which they expressed their perfect willingness to pay. Their request was refused; and by this refusal, I think the interests, not only of the planters, but the interests of the Government, the Country, and the People, were sacrificed. The planters, therefore, in my humble judgment at least, have a just ground for complaint. Had what they required been conceded at the outset, the country would have been spared the calamities the Immigration Committee's report disclosed, and none of the complications which have since retarded the progress of the tea districts, and taken up so much of the valuable time of the Supreme Government would have arisen.

"I have visited the emigration agency for Mauritius with its efficient superintendent Dr. Payne, and I can bear testimony to the excellency of the arrangements for the comfort, cleanliness, and health of the coolies; the duties of the Protectorate, too, are most conscientiously and well performed; and when a little supervision, care, and attention on the part of Government can ensure such results, I cannot understand why we should hear of such depots as that of Thakoor Lalla, in Bengal. Were the several Local Governments of India now, to take more kindly to the plan adopted by foreign and colonial Govern-

ments, and aid railway authorities, developers, and others, in the transport of labour, I doubt very much if we should hear anything more of a scarcity of labour in any part of India; for it cannot be denied, that if the population of the whole country is, proportionately with its area, below the average of populous European countries, it is still very dense in some parts. The greatest quantity of labour is required for Railway operations, and in the completion of these works, the Government of India, and every tax-payer in the country, are directly and deeply interested. Within the last ten years some *fifty millions* sterling have been imported into India for the prosecution of Railway works, and as the largest portion of Railway expenditure is in labour, this amount no doubt required a very considerable quantity of labour to absorb it. But in regard to the cultivation of Wastes, the case is quite different. The whole amount of capital expended in the same period, in the Tea districts of Lower Bengal, for this purpose, does not aggregate even *half* a million sterling; and, assuming the semblance of a Government, that any complications on the score of labour should have arisen in absorbing this *fraction*, seems almost ludicrous. Complications, however, and very serious complications, have arisen. These are now patent to Government as well as to the public, and such being the case, the very serious question that grows out of them is, with what countenance can Her Majesty's Secretary of State go before the British public, and invite Capitalists to invest their money in land which he knows they cannot get labour to cultivate? Has the Government of India no concern *with this*, I would plainly ask?

"With a little pains and trouble on the part of Government, I believe that labour *can* be found for all the present wants of India, and for the Colonies besides; but if the economical idea put forth by Sir John Peter Grant, viz., that it is no part of the business of Government to trouble itself

about these things, be acted upon---if the Local Governments of India be allowed to do just as they please, and to decline to take that small amount of trouble which is necessary, and which Colonial and other Governments deem it their duty, and find it their interest to take, then Indian developers will continue to make an outcry against foreigners, taking away that which they want, and, in my humble judgment, they have *reason* and *right* on their side."

W. N. L.

The following letter reached me too late to make any use of its contents. Indeed my review had been sent to England about a month or six weeks before I received it. As the Rev. J. Long, however, is more intimately acquainted with the condition of the peasantry of Bengal, than perhaps any European in it; as he has ever shown a deep and sincere interest in their welfare; and as he has before now suffered imprisonment in their cause, I append his remarks in *extenso*. The Rev. Gentleman has lately made a tour in Russia, where he had an opportunity of acquainting himself with the results of the emancipation of the serfs; and his opinions, though many may differ from them as widely as they will from my own, as those of an honest, an earnest, and sincere Christian Missionary, who has spent the better part of a long life in good works amongst the poor of Bengal, are worthy of every respect.

To Major Lees, LL.D.

My dear Major Lees,—As I hear that you are sending for republication in England, an extract from your valuable work, relating chiefly to the important question of

"The Indian Ryot," I take the liberty of offering some remarks on what is at the present time a deeply interesting subject.

The time is favourable for considering the state of the agricultural classes of India,—it is the era of conciliation, planter and coolie, Zemindar and ryot, are feeling that they must work in harmony, that it is the case of the belly and members. Whether we look to the defence of India against foreign or internal war, to the development of its resources, or the moral and intellectual improvement of the country—all must mainly depend on one arrangement, a people contented because their rights in the soil are secured—even by the ancient law of India the ownership of the soil was vested in the cultivator.

In Europe also a new era is dawning on the agricultural and working classes, the "boors" are waking from the degradation of ages to feel that they have rights as men, and corresponding emotions of sympathy are being excited among the higher classes. "Earls examine ragged schools, men form associations of shoe blacks, and titled ladies may be seen trudging down narrow lanes with tracts and doctor's stuff for the dirty inmates." Unless our Indian Empire is to be based on bayonets, we must "condescend to men of low estate."

Even Russia, which is so far behind England in almost everything, in the case of securing the rights of the peasantry sets a bright example to India. The heroic conduct of the Czar, who, in spite of the determined opposition of the nobility, emancipated 23,000,000 of serfs, who enjoy peasant proprietorship, village municipal institutions and representative provincial assemblies, thus laying broad and deep the foundations of the true greatness and prosperity of Russia. The Czar risked his throne to secure the rights of the peasantry, and he rested the whole superstructure of the Empire on the ten pillars—the land is the peasant's own—and self-government is administered by

peasant magistrates elected from among their own class. I have been in Courts where the Russian peasant sat along with the noble in the administration of justice. Arising from this is the tendency to decentralised administration. Open courts, trial by jury, a greater freedom of the press, and a desire for education are among the fruits that are springing up. Soldiering is not as popular as it was in Russia.

Ample illustrations of the benefit of peasant proprietorships might be drawn from Switzerland, Norway, Belgium, and France. But one of the most striking instances is the case of Prussia. After the expulsion of Napoleon's troops, it was felt there was no security for the national independence so long as the peasant had not his rights; accordingly, under the firm hand of Baron Stein, that system of peasant rights was secured, which has led to so many social and moral blessings in Prussia, and which was a main cause of enabling Prussia to take the position of leader of Germany.

With this awakening up of millions in Russia and America to a consciousness of their dignity as men, how long is the Bengal ryot to remain a helot, a semi-serf, a mere machine, a blot on the fair fame of England. In 1793 he was handed over bound hand and foot to the tender mercies of land jobbers. Even now the ryot receives no education from the State; 97 per cent cannot read intelligently, his ignorance renders him the victim of superstition, the prey of the usurer, and the petty lawyer. The late famine has filled up the cup of his misery, one million and a half at least have fallen victims to famine and its consequences. Were the authorities found napping?

I am no advocate for a dead level: I believe a landed as well as an intellectual aristocracy is necessary for India, to give cohesion to the mass, to serve as a link between the foreign rulers and the million, and I am glad to mention that there are Zemindars in Bengal who try to improve the

people under them, and have often lamented the apathy of the majority of their fellow Zemindars, in improving the condition of the ryot, and of the country. As enlightened men they feel that the rights and the education of the peasantry should not be left to an oligarchy. This would not be safe even in Christian England, then how much less so in India, the land of caste, where, for ages, the ryot has been regarded as the orange to be squeezed, and then flung away.

Now is the time to urge these points, as the *Bombay Gazette* admirably remarks, "The great dumb multitude, who have no art or part in the Government of India, save meekly to contribute twenty millions of land revenue to its exchequer, without daring to ask Government to spend a single rupee in the improvement of the land, or dreaming of enquiring in what manner it appropriates the enormous tax it levies on them, has hitherto been dumb and uncomplaining, through mere excess of ig[illegible] and *the martyrdom of one-fourth of the population of the province seems to have been required to convince Government that it has duties to discharge towards the ryots of India, quite as important as those of an English squire, or an Irish landlord.*" Surely if the tenant right is about to be established in Ireland, England will not hold back a similar measure for the ryots of Bengal, when *she* was the instrument by the Act of 1793 of reducing them to their present condition, when she farmed them out, body and soul, to men who were originally *collectors*, but whom by a strange act, she constituted *proprietors* of the soil.

What is the remedy for this condition of the Bengal ryot? I feel it will not be found in India; of late years feudal notions regarding land have been in favour with the higher class of Government officials, European non-officials, and Native gentry. The reform, therefore, must come from England, where the interests of the working classes have been, of late years, regarded; and a Reform Bill is sure to

pass Parliament, which will give greater power to the friends of the working man and of peasant proprietorship; it will react on this country, and secure better friends to the peasant than exist at present, when the Governors of all the local Presidencies are feudalists in their notions of land. Sir J. Lawrence is one of the few friends to peasant proprietorship in India.

A reformed Parliament might give the leverage for Reform in Bengal in the following points; irrigation and canal works, rural savings' banks, etc., are what all are agreed on. The following subjects are deserving consideration :—

1. *Peasant Proprietorship or a Poor Law.*—This may seem to interfere with vested rights on some points, but I believe Landholders, on due consideration, may come to the conclusion that it is better to sacrifice a few of their own rights, in order to preserve the remainder. It is too late to imagine that in the 19th century, the welfare of the masses shall be subordinated to the selfishness of an oligarchy. The greatest good of the greatest number is the cardinal principle. The ryot of Bengal lives from hand to mouth, he has no provision for a rainy day—this can be met either by making him a peasant proprietor, or if not, by a tax on land, securing him a legal resource against starvation. The laws, both of heaven and earth, are opposed to the idea that the destitute shall be dependent on a precarious and fitful alms-giving—the land must secure him against destitution; it is so in England and Ireland, and it makes it the landowner's interest that the peasant should be well off.

2. *Compulsory Vernacular Education.*—The expense defrayed by local rates. The ryot now, through his ignorance, is victimised by the usurer in the Courts, and in all cases where documentary evidence is resorted to. He puts his mark to legal deeds, the contents of which he is unable to read; his land is measured for him, but he has no means of

checking the measurement. His educated countrymen have done little to remedy this state of things.

3. *The appointment of a Minister of Agriculture and Commerce.*—There are plenty of well paid Government agents for *collecting* the revenue, but there is not one whose special function would be to attend to the vital question of Agricultural Statistics, the state and prospect of the crops, model farms, and agricultural education, all of which tend to increase the revenue. The Association of Zemindars, called the British India Association, has petitioned Government to appoint a Minister of Agriculture. The famine showed the need of such an official; what was everybody's business was no-one's; one man in that office might have saved Bengal from much of the evil consequences of the famine.

4. *Officials should see more of the people and peasantry.*—The tendency at present is to load officials with red tape, leave them up in office, where all information regarding the masses reaches them through cooked-up reports, or from the ignorant surmisings of native clerks, who have no means of knowing the actual state of the district; book-learned they may be, but little acquainted with the people; this is a crying evil, it was one of the causes of the mutiny.

I throw out the above hints, the discussion of them can do no harm; if they be found impracticable, the ventilation of the question may suggest other modes of action.

Yours truly,

JAMES LONG.

Calcutta, March 8th, 1867.

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